

SENATE RESOLUTION 226

At the request of Mr. DOMENICI, the name of the Senator from New Hampshire [Mr. GREGG] was added as a cosponsor of Senate Resolution 226, a resolution to proclaim the week of October 13, through October 19, 1996, as "National Character Counts Week."

SENATE CONCURRENT RESOLUTION 46—RELATIVE TO THE LATE ISRAELI PRIME MINISTER RABIN

Mr. INOUE (for himself, Mr. D'AMATO, Mr. SIMPSON, Mr. SMITH, Mr. MACK, Mr. CONRAD, Mr. FORD, Mr. MCCONNELL, Mr. HELMS, Mr. HEFLIN, Mr. STEVENS, Mr. DOMENICI, Mr. WARNER, Mr. GRAHAM, and Mr. CRAIG) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 46

Whereas the late Prime Minister Rabin was an outstanding Ambassador during his service in the United States;

Whereas the late Israeli Prime Minister Yitzhak Rabin was a chief architect of the military and nonmilitary ties between the United States and Israel;

Whereas the late Prime Minister Rabin was one of the leading and more consistent and reliable friends of the United States in the world;

Whereas the late Prime Minister Rabin was a cornerstone of the alliance between the United States and Israel in the face of terrorism and radicalism;

Whereas the late Prime Minister Rabin strengthened the values of democracy, pluralism, and market economy, which are at the foundation of both the United States and Israel;

Whereas the late Prime Minister Rabin, the courageous warrior, dedicated most of his life to Israel's independence and security;

Whereas the late Prime Minister Rabin devoted the latter part of his life to the pursuit of lasting peace between Israel and its neighbors;

Whereas the American Promenade in Israel is a privately funded project, expressing Israel's appreciation toward the United States and commemorating the unique bonds of friendship between the two countries;

Whereas the American Promenade had earned the bipartisan support of the top Israeli leadership, including the late Prime Minister Rabin, Prime Minister Shimon Peres, former Prime Minister Yitzhak Shamir, and Likud Chairman Benjamin Netanyahu, as well as the leadership of the United States Congress;

Whereas the American Promenade will consist of 50 marble, 20 foot high monuments bearing the flags and the official seals of the 50 States of this country and the United States-Israel Friendship Botanical Garden, featuring biblical and State trees and flowers; and

Whereas the late Prime Minister Rabin served as the Honorary Chairman of the American Promenade: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That—

(1) the Congress expresses its admiration of the legacy of the late Israeli Prime Minister Yitzhak Rabin and his contribution to the special relationship between the United States and Israel; and

(2) it is the sense of the Congress that the American Promenade in Israel be named in memory of Prime Minister Yitzhak Rabin as

an extraordinary leader who served the cause of peace and who furthered the special relationship between the United States and Israel.

AMENDMENTS SUBMITTED

THE 1996 BALANCED BUDGET DOWN PAYMENT ACT, II

MCCONNELL (AND OTHERS)
AMENDMENT NO. 3480

Mr. DOLE (for Mr. MCCONNELL for himself, Mr. DOLE, Mr. BENNETT, Mrs. HUTCHISON, Mr. FAIRCLOTH, Mr. MCCAIN, Mr. D'AMATO, and Mr. BURNS) proposed an amendment to amendment No. 3466 proposed by Mr. HATFIELD to the bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes; as follows:

No funds may be provided under this Act until the President certifies to the Committee on Appropriations that:

(1) The Federation of Bosnia and Herzegovina is in full compliance with Article III, Annex 1A of the Dayton Agreement; and

(2) Intelligence cooperation between Iranian officials and Bosnian officials has been terminated.

MCCONNELL (AND OTHERS)
AMENDMENT NO. 3481

Mr. DOLE (for Mr. MCCONNELL for himself, Mr. DOLE, Mrs. HUTCHISON, Mr. FAIRCLOTH, Mr. MCCAIN, Mr. D'AMATO, and Mr. BURNS) proposed an amendment to amendment No. 3466 proposed by Mr. HATFIELD to the bill H.R. 3019, supra; as follows:

On page 751, section entitled "Agency for International Development, Assistance for Eastern Europe and the Baltics," insert at the appropriate place, the following: "Provided further, That funds appropriated by this Act may only be made available for projects, activities, or programs within the sector assigned to American forces of the NATO military Implementation Force (IFOR) and Sarajevo: *Provided further*, That Priority consideration shall be given to projects and activities designated in the IFOR "Task Force Eagle civil military project list": *Provided further*, That No funds made available under this Act, or any other Act, may be obligated for the purposes of rebuilding or repairing housing in areas where refugees or displaced persons are refused the right of return due to ethnicity or political party affiliation: *Provided further*, That No funds may be made available under this heading in this Act, or any other Act, to any banking or financial institution in Bosnia and Herzegovina unless such institution agrees in advance, and in writing, to allow the United States General Accounting Office access for the purposes of audit of the use of U.S. assistance: *Provided further*, That effective ninety days after the date of enactment of this Act, none of the funds appropriated under this heading may be made available for the purposes of economic reconstruction in Bosnia and Herzegovina unless the President determines and certifies in writing to the Committees on Appropriations that the bilateral contributions pledged by non-U.S. donors are at

least equivalent to the U.S. bilateral contributions made under this Act and in the FY 1995 and FY 1996 Foreign Operations, Export Financing and Related Programs Appropriations bills.

LAUTENBERG (AND OTHERS)
AMENDMENT NO. 3482

Mr. LAUTENBERG (for himself, Ms. MIKULSKI, Mr. DASCHLE, Mr. LIEBERMAN, Mr. KENNEDY, Mr. LEVIN, Mr. WELLSTONE, Mrs. BOXER, and Mr. LEAHY) proposed an amendment to amendment No. 3466 proposed by Mr. HATFIELD to the bill H.R. 3019, supra; as follows:

On page 781, between lines 4 and 5, insert the following:

TITLE V—ENVIRONMENTAL INITIATIVES

CHAPTER 1—RESTORATIONS FOR
PRIORITY ENVIRONMENT PROGRAMS
DEPARTMENT OF THE INTERIOR AND
RELATED AGENCIES

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

In addition to funds provided elsewhere in this Act, \$72,137,000, to remain available until December 31, 1996.

DEPARTMENT OF AGRICULTURE

STATE AND PRIVATE FORESTRY

An additional \$14,500,000 for the stewardship incentive program.

DEPARTMENT OF ENERGY

ENERGY CONSERVATION

In addition to funds provided elsewhere in this Act, \$75,000,000, to remain available until expended.

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH SERVICE

An additional \$5,000,000 for the Agricultural Research Service for the purpose of carrying out additional research related to a replacement for methyl bromide.

DEPARTMENTS OF VETERANS AFFAIRS
AND HOUSING AND URBAN DEVELOPMENT,
AND INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

In addition to funds provided elsewhere in this Act, \$37,000,000, to remain available until September 30, 1997.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

In addition to funds provided elsewhere in this Act, \$148,000,000, to remain available until September 30, 1997.

BUILDINGS AND FACILITIES

In addition to funds provided elsewhere in this Act, \$50,000,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, EPA is authorized to establish and construct a consolidated research facility at Research Triangle Park, North Carolina, at a maximum total construction cost of \$232,000,000, and to obligate such monies as are made available by this Act, and hereafter, for this purpose.

HAZARDOUS SUBSTANCE SUPERFUND

In addition to funds provided elsewhere in this Act, \$50,000,000, to remain available until expended, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101-508.

STATE AND TRIBAL ASSISTANCE GRANTS

In addition to funds provided elsewhere in this Act, \$440,000,000, to remain available until expended, of which \$365,000,000 shall be for making capitalization grants for State revolving funds to support water infrastructure financing, and \$75,000,000 shall be for

making grants for the construction of wastewater treatment facilities for municipalities discharging into Boston Harbor in accordance with the terms and conditions specified for Boston Harbor grants in the Conference Report accompanying H.R. 2099: *Provided*, That of the additional \$365,000,000 for capitalization grants for State revolving funds, \$175,000,000 shall be for drinking water State revolving funds, but if no drinking water State revolving fund legislation is enacted by June 1, 1996, these funds shall immediately be available for making capitalization grants under Title VI of the Federal Water Pollution Control Act, as amended.

CHAPTER 2—SPENDING OFFSETS

Subchapter A—Debt Collection

SEC. 5101. SHORT TITLE.

This subchapter may be cited as the "Debt Collection Improvement Act of 1996".

SEC. 5102. EFFECTIVE DATE.

Except as otherwise provided in this subchapter, the provisions of this subchapter and the amendments made by this subchapter shall be effective on the date of enactment of this Act.

PART I—GENERAL DEBT COLLECTION INITIATIVES

Subpart A—General Offset Authority

SEC. 5201. ENHANCEMENT OF ADMINISTRATIVE OFFSET AUTHORITY.

(a) Section 3701(c) of title 31, United States Code, is amended to read as follows:

"(c) In sections 3716 and 3717 of this title, the term 'person' does not include an agency of the United States Government, or of a unit of general local government."

(b) Section 3716 of title 31, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

"(b) Before collecting a claim by administrative offset, the head of an executive, legislative, or judicial agency must either—

"(1) adopt regulations on collecting by administrative offset promulgated by the Department of Justice, the General Accounting Office and/or the Department of the Treasury without change; or

"(2) prescribe independent regulations on collecting by administrative offset consistent with the regulations promulgated under paragraph (1).";

(2) by amending subsection (c)(2) to read as follows:

"(2) when a statute explicitly prohibits using administrative 'offset' or 'setoff' to collect the claim or type of claim involved.";

(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (b) the following new subsection:

"(c)(1)(A) Except as provided in subparagraph (B) or (C), a disbursing official of the Department of the Treasury, the Department of Defense, the United States Postal Service, or any disbursing official of the United States designated by the Secretary of the Treasury, is authorized to offset the amount of a payment which a payment certifying agency has certified to the disbursing official for disbursement by an amount equal to the amount of a claim which a creditor agency has certified to the Secretary of the Treasury pursuant to this subsection.

"(B) An agency that designates disbursing officials pursuant to section 3321(c) of this title is not required to certify claims arising out of its operations to the Secretary of the Treasury before such agency's disbursing officials offset such claims.

"(C) Payments certified by the Department of Education under a program administered by the Secretary of Education under title IV of the Higher Education Act of 1965, as amended, shall not be subject to offset under this subsection.

"(2) Neither the disbursing official nor the payment certifying agency shall be liable—

"(A) for the amount of the offset on the basis that the underlying obligation, represented by the payment before the offset was taken, was not satisfied; or

"(B) for failure to provide timely notice under paragraph (8).

"(3)(A) Notwithstanding any other provision of law (including sections 207 and 1631(d)(1) of the Act of August 14, 1935 (42 U.S.C. 407 and 1383(d)(1)), section 413(b) of Public Law 91-173 (30 U.S.C. 923(b)), and section 14 of the Act of August 29, 1935 (45 U.S.C. 231m)), all payments due under the Social Security Act, Part B of the Black Lung Benefits Act, or under any law administered by the Railroad Retirement Board shall be subject to offset under this section.

"(B) An amount of \$10,000 which a debtor may receive under Federal benefit programs cited under subparagraph (A) within a 12-month period shall be exempt from offset under this subsection. In applying the \$10,000 exemption, the disbursing official shall—

"(i) apply a prorated amount of the exemption to each periodic benefit payment to be made to the debtor during the applicable 12-month period; and

"(ii) consider all benefit payments made during the applicable 12-month period which are exempt from offset under this subsection as part of the \$10,000 exemption.

For purposes of the preceding sentence, the amount of a periodic benefit payment shall be the amount after any reduction or deduction required under the laws authorizing the program under which such payment is authorized to be made (including any reduction or deduction to recover any overpayment under such program).

"(C) The Secretary of the Treasury shall exempt means-tested programs when notified by the head of the respective agency. The Secretary may exempt other payments from offset under this subsection upon the written request of the head of a payment certifying agency. A written request for exemption of other payments must provide justification for the exemption under the standards prescribed by the Secretary. Such standards shall give due consideration to whether offset would tend to interfere substantially with or defeat the purposes of the payment certifying agency's program.

"(D) The provisions of sections 205(b)(1) and 1631(c)(1) of the Social Security Act shall not apply to any offset executed pursuant to this section against benefits authorized by either title II or title XVI of the Social Security Act.

"(4) The Secretary of the Treasury is authorized to charge a fee sufficient to cover the full cost of implementing this subsection. The fee may be collected either by the retention of a portion of amounts collected pursuant to this subsection, or by billing the agency referring or transferring the claim. Fees charged to the agencies shall be based only on actual offsets completed. Fees charged under this subsection concerning delinquent claims may be considered as costs pursuant to section 3717(e) of this title. Fees charged under this subsection shall be deposited into the 'Account' determined by the Secretary of the Treasury in accordance with section 3711(g) of this title, and shall be collected and accounted for in accordance with the provisions of that section.

"(5) The Secretary of the Treasury may disclose to a creditor agency the current address of any payee and any data related to certifying and authorizing such payment in accordance with section 552a of title 5, United States Code, even when the payment has been exempt from offset. Where payments are made electronically, the Secretary is authorized to obtain the current address of the

debtor/payee from the institution receiving the payment. Upon request by the Secretary, the institution receiving the payment shall report the current address of the debtor/payee to the Secretary.

"(6) The Secretary of the Treasury is authorized to prescribe such rules, regulations, and procedures as the Secretary of the Treasury deems necessary to carry out the purposes of this subsection. The Secretary shall consult with the heads of affected agencies in the development of such rules, regulations, and procedures.

"(7)(A) Any Federal agency that is owed by a named person a past-due legally enforceable non-tax debt that is over 180 days delinquent (other than any past-due support), including non-tax debt administered by a third party acting as an agent for the Federal Government, shall notify the Secretary of the Treasury of all such non-tax debts for purposes of offset under this subsection.

"(B) An agency may delay notification under subparagraph (A) with respect to a debt that is secured by bond or other instruments in lieu of bond, or for which there is another specific repayment source, in order to allow sufficient time to either collect the debt through normal collection processes (including collection by internal administrative offset) or render a final decision on any protest filed against the claim.

"(8) The disbursing official conducting the offset shall notify the payee in writing of—

"(A) the occurrence of an offset to satisfy a past-due legally enforceable debt, including a description of the type and amount of the payment otherwise payable to the debtor against which the offset was executed;

"(B) the identity of the creditor agency requesting the offset; and

"(C) a contact point within the creditor agency that will handle concerns regarding the offset."

Where the payment to be offset is a periodic benefit payment, the disbursing official shall take reasonable steps, as determined by the Secretary of the Treasury, to provide the notice to the payee not later than the date on which the payee is otherwise scheduled to receive the payment, or as soon as practical thereafter, but no later than the date of the offset. Notwithstanding the preceding sentence, the failure of the debtor to receive such notice shall not impair the legality of such offset.

"(9) A levy pursuant to the Internal Revenue Code of 1986 shall take precedence over requests for offset received from other agencies."

(c) Section 3701(a) of title 31, United States Code, is amended by adding at the end the following new paragraph:

"(8) 'non-tax claim' means any claim from any agency of the Federal Government other than a claim by the Internal Revenue Service under the Internal Revenue Code of 1986."

SEC. 5202. HOUSE OF REPRESENTATIVES AS LEGISLATIVE AGENCY.

(a) Section 3701 of title 31, United States Code, is amended by adding at the end the following new subsections:

"(e) For purposes of subchapters I and II of chapter 37 of title 31, United States Code (relating to claims of or against United States Government), the United States House of Representatives shall be considered to be a legislative agency (as defined in section 3701(a)(4) of such title), and the Clerk of the House of Representatives shall be deemed to be the head of such legislative agency.

"(f) Regulations prescribed by the Clerk of the House of Representatives pursuant to section 3716 of title 31, United States Code, shall not become effective until they are approved by the Committee on Rules of the House of Representatives."

SEC. 5203. EXEMPTION FROM COMPUTER MATCHING REQUIREMENTS UNDER THE PRIVACY ACT OF 1974.

Section 552a(a) of title 5, United States Code, is amended in paragraph (8)(B)—

(1) by striking "or" at the end of clause (vi);

(2) by inserting "or" at the end of clause (vi); and

(3) by adding after clause (vii) the following new clause:

"(viii) matches for administrative offset or claims collection pursuant to subsection 3716(c) of title 31, section 5514 of this title, or any other payment intercept or offset program authorized by statute;"

SEC. 5204. TECHNICAL AND CONFORMING AMENDMENTS.

(a) Title 31, United States Code, is amended—

(1) in section 3322(a), by inserting "section 3716 and section 3720A of this title, section 6331 of title 26, and" after "Except as provided in";

(2) in section 3325(a)(3), by inserting "or pursuant to payment intercepts or offsets pursuant to section 3716 or 3720A, or pursuant to levies executed under section 6331 of the Internal Revenue Code of 1986 (26 U.S.C. 6331)," after "voucher"; and

(3) in sections 3711, 3716, 3717, and 3718, by striking "the head of an executive or legislative agency" each place it appears and inserting instead "the head of an executive, judicial, or legislative agency".

(b) Subsection 6103(l)(10) of title 26, United States Code, is amended—

(1) in subparagraph (A), by inserting "and to officers and employees of the Department of the Treasury in connection with such reduction" adding after "6402"; and

(2) in subparagraph (B), by adding "and to officers and employees of the Department of the Treasury in connection with such reduction" after "agency".

Subpart B—Salary Offset Authority

SEC. 5221. ENHANCEMENT OF SALARY OFFSET AUTHORITY.

Section 5514 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) by adding at the end of paragraph (1) the following: "All Federal agencies to which debts are owed and are delinquent in repayment, shall participate in a computer match at least annually of their delinquent debt records with records of Federal employees to identify those employees who are delinquent in repayment of those debts. Matched Federal employee records shall include, but shall not be limited to, active Civil Service employees government-wide, military active duty personnel, military reservists, United States Postal Service employees, and records of seasonal and temporary employees. The Secretary of the Treasury shall establish and maintain an interagency consortium to implement centralized salary offset computer matching, and promulgate regulations for this program. Agencies that perform centralized salary offset computer matching services under this subsection are authorized to charge a fee sufficient to cover the full cost for such services.";

(B) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(C) by inserting after paragraph (2) the following new paragraph:

"(3) The provisions of paragraph (2) shall not apply to routine intra-agency adjustments of pay that are attributable to clerical or administrative errors or delays in processing pay documents that have occurred within the four pay periods preceding the adjustment and to any adjustment that amounts to \$50 or less, provided that at the time of such adjustment, or as soon thereafter as prac-

tical, the individual is provided written notice of the nature and the amount of the adjustment and a point of contact for contesting such adjustment."; and

(D) by amending paragraph (5)(B) (as redesignated) to read as follows:

"(B) For purposes of this section 'agency' includes executive departments and agencies, the United States Postal Service, the Postal Rate Commission, the United States Senate, the United States House of Representatives, and any court, court administrative office, or instrumentality in the judicial or legislative branches of government, and government corporations.";

(2) by adding at the end of subsection (b) the following new paragraphs:

"(3) For purposes of this section, the Clerk of the House of Representatives shall be deemed to be the head of the agency. Regulations prescribed by the Clerk of the House of Representatives pursuant to subsection (b)(1) shall be subject to the approval of the Committee on Rules of the House of Representatives.

"(4) For purposes of this section, the Secretary of the Senate shall be deemed to be the head of the agency. Regulations prescribed by the Secretary of the Senate pursuant to subsection (b)(1) shall be subject to the approval of the Committee on Rules and Administration of the Senate.";

(3) by adding after subsection (c) the following new subsection:

"(d) A levy pursuant to the Internal Revenue Code of 1986 shall take precedence over requests for offset received from other agencies."

Subpart C—Taxpayer Identifying Numbers

SEC. 5231. ACCESS TO TAXPAYER IDENTIFYING NUMBERS; BARRING DELINQUENT DEBTORS FROM CREDIT ASSISTANCE.

Section 4 of the Debt Collection Act of 1982 (Public Law 97-365, 96 Stat. 1749, 26 U.S.C. 6103 note) is amended—

(1) in subsection (b), by striking "For purposes of this section" and inserting instead "For purposes of subsection (a)"; and

(2) by adding at the end thereof the following new subsections:

"(c) FEDERAL AGENCIES.—Each Federal agency shall require each person doing business with that agency to furnish to that agency such person's taxpayer identifying number.

"(1) For purposes of this subsection, a person is considered to be 'doing business' with a Federal agency if the person is—

"(A) a lender or servicer in a Federal guaranteed or insured loan program;

"(B) an applicant for, or recipient of—

"(i) a Federal guaranteed, insured, or direct loan; or

"(ii) a Federal license, permit, right-of-way, grant, benefit payment or insurance;

"(C) a contractor of the agency;

"(D) assessed a fine, fee, royalty or penalty by that agency;

"(E) in a relationship with a Federal agency that may give rise to a receivable due to that agency, such as a partner of a borrower in or a guarantor of a Federal direct or insured loan; and

"(F) is a joint holder of any account to which Federal benefit payments are transferred electronically.

"(2) Each agency shall disclose to the person required to furnish a taxpayer identifying number under this subsection its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such persons's relationship with the government.

"(3) For purposes of this subsection:

"(A) The term 'taxpayer identifying number' has the meaning given such term in section 6109 of title 26, United States Code.

"(B) The term 'person' means an individual, sole proprietorship, partnership, corporation, nonprofit organization, or any other form of business association, but with the exception of debtors owing claims resulting from petroleum pricing violations does not include debtors under third party claims of the United States.

"(d) ACCESS TO SOCIAL SECURITY NUMBERS.—Notwithstanding section 552a of title 5, United States Code, creditor agencies to which a delinquent claim is owed, and their agents, may match their debtor records with the Social Security Administration records to verify name, name control, Social Security number, address, and date of birth."

SEC. 5232. BARRING DELINQUENT FEDERAL DEBTORS FROM OBTAINING FEDERAL LOANS OR LOAN GUARANTEES.

(a) Title 31, United States Code, is amended by adding after section 3720A the following new section:

"§ 3720B. Barring delinquent Federal debtors from obtaining Federal loans or loan guarantees"

"(a) Unless waived by the head of the agency, no person may obtain any Federal financial assistance in the form of a loan or a loan guarantee if such person has an outstanding Federal non-tax debt which is in a delinquent status, as determined under the standards prescribed by the Secretary of the Treasury, with a Federal agency. Any such person may obtain additional Federal financial assistance only after such delinquency is resolved, pursuant to these standards. This section shall not apply to loans or loan guarantees where a statute specifically permits extension of Federal financial assistance to borrowers in delinquent status.

"(b) The head of the agency may delegate the waiver authority described in subsection (a) to the Chief Financial Officer of the agency. The waiver authority may be redelegated only to the Deputy Chief Financial Officer of the agency.

"(c) For purposes of this section, 'person' means an individual; or sole proprietorship, partnership, corporation, non-profit organization, or any other form of business association."

(b) The table of sections for subchapter II of chapter 37 of title 31, United States Code, is amended by inserting after the item relating to section 3720A the following new item:

Subpart D—Expanding Collection Authorities and Governmentwide Cross-Servicing

SEC. 5241. EXPANDING COLLECTION AUTHORITIES UNDER THE DEBT COLLECTION ACT OF 1982.

(a) Subsection 8(e) of the Debt Collection Act of 1982 (Public Law 97-365, 31 U.S.C. 3701(d) and 5 U.S.C. 5514 note) is repealed.

(b) Section 5 of the Social Security Domestic Employment Reform Act of 1994 (Public Law 103-387) is repealed.

(c) Section 631 of the Tariff Act of 1930 (19 U.S.C. 1631), is repealed.

(d) Title 31, United States Code, is amended—

(1) in section 3701—

(A) by amending subsection (a)(4) to read as follows:

"(4) 'executive, judicial or legislative agency' means a department, military department, agency, court, court administrative office, or instrumentality in the executive, judicial or legislative branches of government, including government corporations.";

(B) by inserting after subsection (c) the following new subsection:

"(d) Sections 3711(f) and 3716-3719 of this title do not apply to a claim or debt under,

or to an amount payable under, the Internal Revenue Code of 1986.”;

(2) by amending section 3711(f) to read as follows:

“(f)(1) When trying to collect a claim of the Government, the head of an executive or legislative agency may disclose to a consumer reporting agency information from a system of records that an individual is responsible for a claim if notice required by section 552a(e)(4) of title 5, United States Code, indicates that information in the system may be disclosed to a consumer reporting agency.

“(2) The information disclosed to a consumer reporting agency shall be limited to—

“(A) information necessary to establish the identity of the individual, including name, address and taxpayer identifying number;

“(B) the amount, status, and history of the claim; and

“(C) the agency or program under which the claim arose.”; and

(3) in section 3718—

(A) in subsection (a), by striking the first sentence and inserting instead the following: “Under conditions the head of an executive, legislative or judicial agency considers appropriate, the head of an agency may make a contract with a person for collection service to recover indebtedness owed, or to locate or recover assets of, the United States Government. No head of an agency may enter into a contract to locate or recover assets of the United States held by a State government or financial institution unless that agency has established procedures approved by the Secretary of the Treasury to identify and recover such assets.”; and

(B) in subsection (d), by inserting “, or to locate or recover assets of,” after “owed”.

SEC. 5242. GOVERNMENTWIDE CROSS-SERVICING.

Section 3711 of title 31, United States Code, is amended by adding at the end the following new subsection:

“(g)(1) At the discretion of the head of an executive, judicial or legislative agency, referral of a non-tax claim may be made to any executive department or agency operating a debt collection center for servicing and collection in accordance with an agreement entered into under paragraph (2). Referral or transfer of a claim may also be made to the Secretary of the Treasury for servicing, collection, compromise, and/or suspension or termination of collection action. Non-tax claims referred or transferred under this section shall be serviced, collected, compromised, and/or collection action suspended or terminated in accordance with existing statutory requirements and authorities.

“(2) Executive departments and agencies operating debt collection centers are authorized to enter into agreements with the heads of executive, judicial, or legislative agencies to service and/or collect non-tax claims referred or transferred under this subsection. The heads of other executive departments and agencies are authorized to enter into agreements with the Secretary of the Treasury for servicing or collection of referred or transferred non-tax claims or other Federal agencies operating debt collection centers to obtain debt collection services from those agencies.

“(3) Any agency to which non-tax claims are referred or transferred under this subsection is authorized to charge a fee sufficient to cover the full cost of implementing this subsection. The agency transferring or referring the non-tax claim shall be charged the fee, and the agency charging the fee shall collect such fee by retaining the amount of the fee from amounts collected pursuant to this subsection. Agencies may agree to pay

through a different method, or to fund the activity from another account or from revenue received from Section 701. Amounts charged under this subsection concerning delinquent claims may be considered as costs pursuant to section 3717(e) of this title.

“(4) Notwithstanding any other law concerning the depositing and collection of Federal payments, including section 3302(b) of this title, agencies collecting fees may retain the fees from amounts collected. Any fee charged pursuant to this subsection shall be deposited into an account to be determined by the executive department or agency operating the debt collection center charging the fee (hereafter referred to in this section as the ‘Account’). Amounts deposited in the Account shall be available until expended to cover costs associated with the implementation and operation of government-wide debt collection activities. Costs properly chargeable to the Account include, but are not limited to—

“(A) the costs of computer hardware and software, word processing and telecommunications equipment, other equipment, supplies, and furniture;

“(B) personnel training and travel costs;

“(C) other personnel and administrative costs;

“(D) the costs of any contract for identification, billing, or collection services; and

“(E) reasonable costs incurred by the Secretary of the Treasury, including but not limited to, services and utilities provided by the Secretary, and administration of the Account.

“(5) Not later than January 1 of each year, there shall be deposited into the Treasury as miscellaneous receipts, an amount equal to the amount of unobligated balances remaining in the Account at the close of business on September 30 of the preceding year minus any part of such balance that the executive department or agency operating the debt collection center determines is necessary to cover or defray the costs under this subsection for the fiscal year in which the deposit is made.

“(6)(A) The head of an executive, legislative, or judicial agency shall transfer to the Secretary of the Treasury all non-tax claims over 180 days delinquent for additional collection action and/or closeout. A taxpayer identification number shall be included with each claim provided if it is in the agency's possession.

“(B) Subparagraph (A) shall not apply—

“(i) to claims that—

“(I) are in litigation or foreclosure;

“(II) will be disposed of under the loan sales program of a Federal department or agency;

“(III) have been referred to a private collection contractor for collection;

“(IV) are being collected under internal offset procedures;

“(V) have been referred to the Department of the Treasury, the Department of Defense, the United States Postal Service, or a disbursing official of the United States designated by the Secretary of the Treasury for administrative offset;

“(VI) have been retained by an executive agency in a debt collection center; or

“(VII) have been referred to another agency for collection;

“(ii) to claims which may be collected after the 180-day period in accordance with specific statutory authority or procedural guidelines, provided that the head of an executive, legislative, or judicial agency provides notice of such claims to the Secretary of the Treasury; and

“(iii) to other specific class of claims as determined by the Secretary of the Treasury at the request of the head of an agency or otherwise.

“(C) The head of an executive, legislative, or judicial agency shall transfer to the Secretary of the Treasury all non-tax claims on which the agency has ceased collection activity. The Secretary may exempt specific classes of claims from this requirement, at the request of the head of an agency, or otherwise. The Secretary shall review transferred claims to determine if additional collection action is warranted. The Secretary may, in accordance with section 6050P of title 26, United States Code, report to the Internal Revenue Service on behalf of the creditor agency any claims that have been discharged within the meaning of such section.

“(7) At the end of each calendar year, the head of an executive, legislative, or judicial agency which, regarding a claim owed to the agency, is required to report a discharge of indebtedness as income under the 6050P of title 26, United States Code, shall either complete the appropriate form 1099 or submit to the Secretary of the Treasury such information as is necessary for the Secretary of the Treasury to complete the appropriate form 1099. The Secretary of the Treasury shall incorporate this information into the appropriate form and submit the information to the taxpayer and Internal Revenue Service.

“(8) To carry out the purposes of this subsection, the Secretary of the Treasury is authorized—

“(A) to prescribe such rules, regulations, and procedures as the Secretary deems necessary; and

“(B) to designate debt collection centers operated by other Federal agencies.”.

SEC. 5243. COMPROMISE OF CLAIMS.

(a) Section 3711(a)(2) of title 31, United States Code, is amended by striking out “\$20,000 (excluding interest)” and inserting in lieu thereof “\$100,000 (excluding interest) or such higher amount as the Attorney General may from time to time prescribe.

(b) This section shall be effective as of October 1, 1995.

Subpart E—Federal Civil Monetary Penalties

SEC. 5251. ADJUSTING FEDERAL CIVIL MONETARY PENALTIES FOR INFLATION.

(a) The Federal Civil Penalties Inflation Adjustment Act of 1990 (Public Law 101-410, 104 Stat. 890; 28 U.S.C. 2461 note) is amended—

(1) by amending section 4 to read as follows:

“SEC. 4. The head of each agency shall, not later than 180 days after the date of enactment of the Debt Collection Improvement Act of 1996, and at least once every 4 years thereafter, by regulation adjust each civil monetary penalty provided by law within the jurisdiction of the Federal agency, except for any penalty under title 26, United States Code, by the inflation adjustment described under section 5 of this Act and publish each such regulation in the Federal Register.”;

(2) in section 5(a), by striking “The adjustment described under paragraphs (4) and (5)(A) of section 4” and inserting “The inflation adjustment”; and

(3) by adding at the end the following new section:

“SEC. 7. Any increase to a civil monetary penalty resulting from this Act shall apply only to violations which occur after the date any such increase takes effect.”.

(b) The initial adjustment of a civil monetary penalty made pursuant to section 4 of Federal Civil Penalties Inflation Adjustment Act of 1990 (as amended by subsection (a)) may not exceed 10 percent of such penalty.

Subpart F—Gain Sharing

SEC. 5261. DEBT COLLECTION IMPROVEMENT ACCOUNT.

(a) Title 31, United States Code, is amended by inserting after section 3720B the following new section:

“§3720C. Debt Collection Improvement Account

“(a)(1) There is hereby established in the Treasury a special fund to be known as the ‘Debt Collection Improvement Account’ (hereinafter referred to as the ‘Account’).

“(2) The Account shall be maintained and managed by the Secretary of the Treasury, who shall ensure that programs are credited with the amounts described in subsection (b) and with allocations described in subsection (c).

“(b)(1) Not later than 30 days after the end of a fiscal year, an agency other than the Department of Justice is authorized to transfer to the Account a dividend not to exceed five percent of the debt collection improvement amount as described in paragraph (3).

“(2) Agency transfers to the Account may include collections from—

“(A) salary, administrative and tax referral offsets;

“(B) automated levy authority;

“(C) the Department of Justice; and

“(D) private collection agencies.

“(3) For purposes of this section, the term ‘debt collection improvement amount’ means the amount by which the collection of delinquent debt with respect to a particular program during a fiscal year exceeds the delinquent debt baseline for such program for such fiscal year. The Office of Management and Budget shall determine the baseline from which increased collections are measured over the prior fiscal year, taking into account the recommendations made by the Secretary of the Treasury in consultation with creditor agencies.

“(c)(1) The Secretary of the Treasury is authorized to make payments from the Account solely to reimburse agencies for qualified expenses. For agencies with franchise funds, payments may be credited to subaccounts designated for debt collection.

“(2) For purposes of this paragraph, the term ‘qualified expenses’ means expenditures for the improvement of tax administration and agency debt collection and debt recovery activities including, but not limited to, account servicing (including cross-servicing under section 502 of the Debt Collection Improvement Act of 1996), automatic data processing equipment acquisitions, delinquent debt collection, measures to minimize delinquent debt, asset disposition, and training of personnel involved in credit and debt management.

“(3) Payments made to agencies pursuant to paragraph (1) shall be in proportion to their contributions to the Account.

“(4)(A) Amounts in the Account shall be available to the Secretary of the Treasury to the extent and in the amounts provided in advance in appropriation Acts, for purposes of this section. Such amounts are authorized to be appropriated without fiscal year limitation.

“(B) As soon as practicable after the end of third fiscal year after which appropriations are made pursuant to this section, and every 3 years thereafter, any unappropriated balance in the account as determined by the Secretary of the Treasury in consultation with agencies, shall be transferred to the Treasury general fund as miscellaneous receipts.

“(d) For direct loan and loan guarantee programs subject to title V of the Congressional Budget Act of 1974, amounts credited in accordance with subsection (c) shall be considered administrative costs and shall not be included in the estimated payments to the Government for the purpose of calculating the cost of such programs.

“(e) The Secretary of the Treasury shall prescribe such rules, regulations, and procedures as the Secretary deems necessary or

appropriate to carry out the purposes of this section.”.

(b) The table of sections for subchapter II of chapter 37 of title 31, United States Code, is amended by inserting after the item relating to section 3720B the following new item: “3720C. Debt Collection Improvement Account.”.

Subpart G—Tax Refund Offset Authority**SEC. 5271. OFFSET OF TAX REFUND PAYMENT BY DISBURSING OFFICIALS.**

Section 3720A(h) of title 31, United States Code, is amended to read as follows:

“(h)(1) The term ‘Secretary of the Treasury’ may include the disbursing official of the Department of the Treasury.

“(2) The disbursing official of the Department of the Treasury—

“(A) shall notify a taxpayer in writing of—

“(i) the occurrence of an offset to satisfy a past-due legally enforceable non-tax debt;

“(ii) the identity of the creditor agency requesting the offset; and

“(iii) a contact point within the creditor agency that will handle concerns regarding the offset;

“(B) shall notify the Internal Revenue Service on a weekly basis of—

“(i) the occurrence of an offset to satisfy a past-due legally enforceable non-tax debt;

“(ii) the amount of such offset; and

“(iii) any other information required by regulations; and

“(C) shall match payment records with requests for offset by using a name control, taxpayer identifying number (as defined in 26 U.S.C. 6109), and any other necessary identifiers.”.

SEC. 5272. EXPANDING TAX REFUND OFFSET AUTHORITY.

(a) Section 3720A of title 31, United States Code, is amended by adding after subsection (h) the following new subsection:

“(i) An agency subject to section 9 of the Act of May 18, 1933 (16 U.S.C. 831h) may implement this section at its discretion.”.

(b) Section 6402(f) of title 26, United States Code, is amended to read as follows:

“(f) FEDERAL AGENCY.—For purposes of this section, the term ‘Federal agency’ means a department, agency, or instrumentality of the United States, and includes a government corporation (as such term is defined in section 103 of title 5, United States Code).”.

SEC. 5273. EXPANDING AUTHORITY TO COLLECT PAST-DUE SUPPORT.

(a) Section 3720A(a) of title 31, United States Code, is amended to read as follows:

“(a) Any Federal agency that is owed by a named person a past-due, legally enforceable debt (including past-due support and debt administered by a third party acting as an agent for the Federal Government) shall, in accordance with regulations issued pursuant to subsections (b) and (d), notify the Secretary of the Treasury at least once a year of the amount of such debt.”.

(b) Section 464(a) of the Social Security Act (42 U.S.C. 664(a)) is amended—

(1) in paragraph (1), by adding at the end thereof the following: “This subsection may be implemented by the Secretary of the Treasury in accordance with section 3720A of title 31, United States Code.”; and

(2) in paragraph (2)(A), by adding at the end thereof the following: “This subsection may be implemented by the Secretary of the Treasury in accordance with section 3720A of title 31, United States Code.”.

Subpart H—Definitions, Due Process Rights, and Severability**SEC. 5281. TECHNICAL AMENDMENTS TO DEFINITIONS.**

Section 3701 of title 31, United States Code, is amended—

(1) by amending subsection (a)(1) to read as follows:

“(1) ‘administrative offset’ means withholding money payable by the United States (including money payable by the United States on behalf of a State government) to, or held by the United States for, a person to satisfy a claim.”;

(2) by amending subsection (b) to read as follows:

“(b)(1) The term ‘claim’ or ‘debt’ means any amount of money or property that has been determined by an appropriate official of the Federal Government to be owed to the United States by a person, organization, or entity other than another Federal agency. A claim includes, without limitation, money owed on account of loans insured or guaranteed by the Government, non-appropriated funds, over-payments, any amount the United States is authorized by statute to collect for the benefit of any person, and other amounts of money or property due the Government.

“(2) For purposes of section 3716 of this title, the term ‘claim’ also includes an amount of money or property owed by a person to a State, the District of Columbia, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, or the Commonwealth of Puerto Rico where there is also a Federal monetary interest or in cases of court ordered child support.”; and

(3) by adding after subsection (f) (as added in section 5202(a)) the following new subsection:

“(g) In section 3716 of this title—

“(1) ‘creditor agency’ means any entity owed a claim that seeks to collect that claim through administrative offset; and

“(2) ‘payment certifying agency’ means any Federal department, agency, or instrumentality and government corporation, that has transmitted a voucher to a disbursing official for disbursement.”.

SEC. 5282. SEVERABILITY.

If any provision of this title, or the amendments made by this title, or the application of any provision to any entity, person, or circumstance is for any reason adjudged by a court of competent jurisdiction to be invalid, the remainder of this title, and the amendments made by this title, or its application shall not be affected.

Subpart I—Reporting**SEC. 5291. MONITORING AND REPORTING.**

(a) The Secretary of the Treasury, in consultation with concerned Federal agencies, is authorized to establish guidelines, including information on outstanding debt, to assist agencies in the performance and monitoring of debt collection activities.

(b) Not later than three years after the date of enactment of this Act, the Secretary of the Treasury shall report to the Congress on collection services provided by Federal agencies or entities collecting debt on behalf of other Federal agencies under the authorities contained in section 3711(g) of title 31, United States Code.

(c) Section 3719 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) by amending the first sentence to read as follows: “In consultation with the Comptroller General, the Secretary of the Treasury shall prescribe regulations requiring the head of each agency with outstanding non-tax claims to prepare and submit to the Secretary at least once a year a report summarizing the status of loans and accounts receivable managed by the head of the agency.”; and

(B) in paragraph (3), by striking “Director” and inserting “Secretary”; and

(2) in subsection (b), by striking “Director” and inserting “Secretary”.

(d) Notwithstanding any other provision of law, the Secretary of the Treasury is authorized to consolidate all reports concerning debt collection into one annual report.

PART II—JUSTICE DEBT MANAGEMENT

Subpart A—Private Attorneys

SEC. 5301. EXPANDED USE OF PRIVATE ATTORNEYS.

(a) Section 3718(b)(1)(A) of title 31, United States Code, is amended by striking the fourth sentence.

(b) Sections 3 and 5 of the Federal Debt Recovery Act (Public Law 99-578, 100 Stat. 3305) are hereby repealed.

Subpart B—Nonjudicial Foreclosure

SEC. 5311. NONJUDICIAL FORECLOSURE OF MORTGAGES.

Chapter 176 of title 28 of the United States Code is amended by adding at the end thereof the following:

"SUBCHAPTER E—NONJUDICIAL FORECLOSURE

"Sec.

"3401. Definitions.

"3402. Rules of construction.

"3403. Election of procedure.

"3404. Designation of foreclosure trustee.

"3405. Notice of foreclosure sale; statute of limitations.

"3406. Service of notice of foreclosure sale.

"3407. Cancellation of foreclosure sale.

"3408. Stay.

"3409. Conduct of sale; postponement.

"3410. Transfer of title and possession.

"3411. Record of foreclosure and sale.

"3412. Effect of sale.

"3413. Disposition of sale proceeds.

"3414. Deficiency judgment.

"§ 3401. Definitions

"As used in this subchapter—

"(1) 'agency' means—

"(A) an executive department as defined in section 101 of title 5, United States Code;

"(B) an independent establishment as defined in section 104 of title 5, United States Code (except that it shall not include the General Accounting Office);

"(C) a military department as defined in section 102 of title 5, United States Code; and

"(D) a wholly owned government corporation as defined in section 9101(3) of title 31, United States Code;

"(2) 'agency head' means the head and any assistant head of an agency, and may upon the designation by the head of an agency include the chief official of any principal division of an agency or any other employee of an agency;

"(3) 'bona fide purchaser' means a purchaser for value in good faith and without notice of any adverse claim who acquires the seller's interest free of any adverse claim;

"(4) 'debt instrument' means a note, mortgage bond, guaranty or other instrument creating a debt or other obligation, including any instrument incorporated by reference therein and any instrument or agreement amending or modifying a debt instrument;

"(5) 'file' or 'filing' means docketing, indexing, recording, or registering, or any other requirement for perfecting a mortgage or a judgment;

"(6) 'foreclosure trustee' means an individual, partnership, association, or corporation, or any employee thereof, including a successor, appointed by the agency head to conduct a foreclosure sale pursuant to this subchapter;

"(7) 'mortgage' means a deed of trust, deed to secure debt, security agreement, or any other form of instrument under which any interest in real property, including leaseholds, life estates, reversionary interests, and any other estates under applicable law is conveyed in trust, mortgaged, encumbered,

pledged or otherwise rendered subject to a lien, for the purpose of securing the payment of money or the performance of any other obligation;

"(8) 'of record' means an interest recorded pursuant to Federal or State statutes that provide for official recording of deeds, mortgages and judgments, and that establish the effect of such records as notice to creditors, purchasers, and other interested persons;

"(9) 'owner' means any person who has an ownership interest in property and includes heirs, devisees, executors, administrators, and other personal representatives, and trustees of testamentary trusts if the owner of record is deceased;

"(10) 'sale' means a sale conducted pursuant to this subchapter, unless the context requires otherwise; and

"(11) 'security property' means real property, or any interest in real property including leaseholds, life estates, reversionary interests, and any other estates under applicable State law that secure a mortgage.

"§ 3402. Rules of construction

"(a) IN GENERAL.—If an agency head elects to proceed under this subchapter, this subchapter shall apply and the provisions of this subchapter shall govern in the event of a conflict with any other provision of Federal law or State law.

"(b) LIMITATION.—This subchapter shall not be construed to supersede or modify the operation of—

"(1) the lease-back/buy-back provisions under section 1985 of title 7, United States Code, or regulations promulgated thereunder; or

"(2) The Multifamily Mortgage Foreclosure Act of 1981 (chapter 38 of title 12, United States Code).

"(c) EFFECT ON OTHER LAWS.—This subchapter shall not be construed to curtail or limit the rights of the United States or any of its agencies—

"(1) to foreclose a mortgage under any other provision of Federal law or State law; or

"(2) to enforce any right under Federal law or State law in lieu of or in addition to foreclosure, including any right to obtain a monetary judgment.

"(d) APPLICATION TO MORTGAGES.—The provisions of this subchapter may be used to foreclose any mortgage, whether executed prior or subsequent to the effective date of this subchapter.

"§ 3403. Election of procedure

"(a) SECURITY PROPERTY SUBJECT TO FORECLOSURE.—An agency head may foreclose a mortgage upon the breach of a covenant or condition in a debt instrument or mortgage for which acceleration or foreclosure is authorized. An agency head may not institute foreclosure proceedings on the mortgage under any other provision of law, or refer such mortgage for litigation, during the pendency of foreclosure proceedings pursuant to this subchapter.

"(b) EFFECT OF CANCELLATION OF SALE.—If a foreclosure sale is canceled pursuant to section 3407, the agency head may thereafter foreclose on the security property in any manner authorized by law.

"§ 3404. Designation of foreclosure trustee

"(a) IN GENERAL.—An agency head shall designate a foreclosure trustee who shall supersede any trustee designated in the mortgage. A foreclosure trustee designated under this section shall have a nonjudicial power of sale pursuant to this subchapter.

"(b) DESIGNATION OF FORECLOSURE TRUSTEE.—

"(1) An agency head may designate as foreclosure trustee—

"(A) an officer or employee of the agency;

"(B) an individual who is a resident of the State in which the security property is located; or

"(C) a partnership, association, or corporation, provided such entity is authorized to transact business under the laws of the State in which the security property is located.

"(2) The agency head is authorized to enter into personal services and other contracts not inconsistent with this subchapter.

"(c) METHOD OF DESIGNATION.—An agency head shall designate the foreclosure trustee in writing. The foreclosure trustee may be designated by name, title, or position. An agency head may designate one or more foreclosure trustees for the purpose of proceeding with multiple foreclosures or a class of foreclosures.

"(d) AVAILABILITY OF DESIGNATION.—An agency head may designate such foreclosure trustees as the agency head deems necessary to carry out the purposes of this subchapter.

"(e) MULTIPLE FORECLOSURE TRUSTEES AUTHORIZED.—An agency head may designate multiple foreclosure trustees for different tracts of a secured property.

"(f) REMOVAL OF FORECLOSURE TRUSTEES; SUCCESSOR FORECLOSURE TRUSTEES.—An agency head may, with or without cause or notice, remove a foreclosure trustee and designate a successor trustee as provided in this section. The foreclosure sale shall continue without prejudice notwithstanding the removal of the foreclosure trustee and designation of a successor foreclosure trustee. Nothing in this section shall be construed to prohibit a successor foreclosure trustee from postponing the foreclosure sale in accordance with this subchapter.

"§ 3405. Notice of foreclosure sale; statute of limitations

"(a) IN GENERAL.—

"(1) Not earlier than 21 days nor later than ten years after acceleration of a debt instrument or demand on a guaranty, the foreclosure trustee shall serve a notice of foreclosure sale in accordance with this subchapter.

"(2) For purposes of computing the time period under paragraph (1), there shall be excluded all periods during which there is in effect—

"(A) a judicially imposed stay of foreclosure; or

"(B) a stay imposed by section 362 of title 11, United States Code.

"(3) In the event of partial payment or written acknowledgement of the debt after acceleration of the debt instrument, the right to foreclosure shall be deemed to accrue again at the time of each such payment or acknowledgement.

"(b) NOTICE OF FORECLOSURE SALE.—The notice of foreclosure sale shall include—

"(1) the name, title, and business address of the foreclosure trustee as of the date of the notice;

"(2) the names of the original parties to the debt instrument and the mortgage, and any assignees of the mortgagor of record;

"(3) the street address or location of the security property, and a generally accepted designation used to describe the security property, or so much thereof as is to be offered for sale, sufficient to identify the property to be sold;

"(4) the date of the mortgage, the office in which the mortgage is filed, and the location of the filing of the mortgage;

"(5) the default or defaults upon which foreclosure is based, and the date of the acceleration of the debt instrument;

"(6) the date, time, and place of the foreclosure sale;

"(7) a statement that the foreclosure is being conducted in accordance with this subchapter;

"(8) the types of costs, if any, to be paid by the purchaser upon transfer of title; and

"(9) the terms and conditions of sale, including the method and time of payment of the foreclosure purchase price.

"§ 3406. Service of notice of foreclosure sale

"(a) RECORD NOTICE.—At least 21 days prior to the date of the foreclosure sale, the notice of foreclosure sale required by section 3405 shall be filed in the manner authorized for filing a notice of an action concerning real property according to the law of the State where the security property is located or, if none, in the manner authorized by section 3201 of this chapter.

"(b) NOTICE BY MAIL.—

"(1) At least 21 days prior to the date of the foreclosure sale, the notice set forth in section 3405 shall be sent by registered or certified mail, return receipt requested—

"(A) to the current owner of record of the security property as the record appears on the date that the notice of foreclosure sale is recorded pursuant to subsection (a);

"(B) to all debtors, including the mortgagor, assignees of the mortgagor and guarantors of the debt instrument;

"(C) to all persons having liens, interests or encumbrances of record upon the security property, as the record appears on the date that the notice of foreclosure sale is recorded pursuant to subsection (a); and

"(D) to any occupants of the security property. If the names of the occupants of the security property are not known to the agency, or the security property has more than one dwelling unit, the notice shall be posted at the security property.

"(2) The notice shall be sent to the debtor at the address, if any, set forth in the debt instrument or mortgage as the place to which notice is to be sent, and if different, to the debtor's last known address as shown in the mortgage record of the agency. The notice shall be sent to any person other than the debtor to that person's address of record or, if there is no address of record, to any address at which the agency in good faith believes the notice is likely to come to that person's attention.

"(3) Notice by mail pursuant to this subsection shall be effective upon mailing.

"(c) NOTICE BY PUBLICATION.—The notice of the foreclosure sale shall be published at least once a week for each of three successive weeks prior to the sale in at least one newspaper of general circulation in any county or counties in which the security property is located. If there is no newspaper published at least weekly that has a general circulation in at least one county in which the security property is located, copies of the notice of foreclosure sale shall instead be posted at least 21 days prior to the sale at the courthouse of any county or counties in which the property is located and the place where the sale is to be held.

"§ 3407. Cancellation of foreclosure sale

"(a) IN GENERAL.—At any time prior to the foreclosure sale, the foreclosure trustee shall cancel the sale—

"(1) if the debtor or the holder of any subordinate interest in the security property tenders the performance due under the debt instrument and mortgage, including any amounts due because of the exercise of the right to accelerate, and the expenses of proceeding to foreclosure incurred to the time of tender;

"(2) if the security property is a dwelling of four units or fewer, and the debtor—

"(A) pays or tenders all sums which would have been due at the time of tender in the absence of any acceleration;

"(B) performs any other obligation which would have been required in the absence of any acceleration; and

"(C) pays or tenders all costs of foreclosure incurred for which payment from the proceeds of the sale would be allowed; or

"(3) for any reason approved by the agency head.

"(b) LIMITATION.—The debtor may not, without the approval of the agency head, cure the default under subsection (a)(2) if, within the preceding 12 months, the debtor has cured a default after being served with a notice of foreclosure sale pursuant to this subchapter.

"(c) NOTICE OF CANCELLATION.—The foreclosure trustee shall file a notice of the cancellation in the same place and manner provided for the filing of the notice of foreclosure sale under section 3406(a).

"§ 3408. Stay

"If, prior to the time of sale, foreclosure proceedings under this subchapter are stayed in any manner, including the filing of bankruptcy, no person may thereafter cure the default under the provisions of section 3407(a)(2). If the default is not cured at the time a stay is terminated, the foreclosure trustee shall proceed to sell the security property as provided in this subchapter.

"§ 3409. Conduct of sale; postponement

"(a) SALE PROCEDURES.—Foreclosure sale pursuant to this subchapter shall be at public auction and shall be scheduled to begin at a time between the hours of 9:00 a.m. and 4:00 p.m. local time. The foreclosure sale shall be held at the location specified in the notice of foreclosure sale, which shall be a location where real estate foreclosure auctions are customarily held in the county or one of the counties in which the property to be sold is located or at a courthouse therein, or upon the property to be sold. Sale of security property situated in two or more counties may be held in any one of the counties in which any part of the security property is situated. The foreclosure trustee may designate the order in which multiple tracts of security property are sold.

"(b) BIDDING REQUIREMENTS.—Written one-price sealed bids shall be accepted by the foreclosure trustee, if submitted by the agency head or other persons for entry by announcement by the foreclosure trustee at the sale. The sealed bids shall be submitted in accordance with the terms set forth in the notice of foreclosure sale. The agency head or any other person may bid at the foreclosure sale, even if the agency head or other person previously submitted a written one-price bid. The agency head may bid a credit against the debt due without the tender or payment of cash. The foreclosure trustee may serve as auctioneer, or may employ an auctioneer who may be paid from the sale proceeds. If an auctioneer is employed, the foreclosure trustee is not required to attend the sale. The foreclosure trustee or an auctioneer may bid as directed by the agency head.

"(c) POSTPONEMENT OF SALE.—The foreclosure trustee shall have discretion, prior to or at the time of sale, to postpone the foreclosure sale. The foreclosure trustee may postpone a sale to a later hour the same day by announcing or posting the new time and place of the foreclosure sale at the time and place originally scheduled for the foreclosure sale. The foreclosure trustee may instead postpone the foreclosure sale for not fewer than 9 nor more than 31 days, by serving notice that the foreclosure sale has been postponed to a specified date, and the notice may include any revisions the foreclosure trustee deems appropriate. The notice shall be served by publication, mailing, and posting in accordance with section 3406 (b) and (c), except that publication may be made on any of three separate days prior to the new date of the foreclosure sale, and mailing may be

made at any time at least 7 days prior to the new date of the foreclosure sale.

"(d) LIABILITY OF SUCCESSFUL BIDDER WHO FAILS TO COMPLY.—The foreclosure trustee may require a bidder to make a cash deposit before the bid is accepted. The amount or percentage of the cash deposit shall be stated by the foreclosure trustee in the notice of foreclosure sale. A successful bidder at the foreclosure sale who fails to comply with the terms of the sale shall forfeit the cash deposit or, at the election of the foreclosure trustee, shall be liable to the agency on a subsequent sale of the property for all net losses incurred by the agency as a result of such failure.

"(e) EFFECT OF SALE.—Any foreclosure sale held in accordance with this subchapter shall be conclusively presumed to have been conducted in a legal, fair, and commercially reasonable manner. The sale price shall be conclusively presumed to constitute the reasonably equivalent value of the security property.

"§ 3410. Transfer of title and possession

"(a) DEED.—After receipt of the purchase price in accordance with the terms of the sale as provided in the notice of foreclosure sale, the foreclosure trustee shall execute and deliver to the purchaser a deed conveying the security property to the purchaser that grants and conveys title to the security property without warranty or covenants to the purchaser. The execution of the foreclosure trustee's deed shall have the effect of conveying all of the right, title, and interest in the security property covered by the mortgage. Notwithstanding any other law to the contrary, the foreclosure trustee's deed shall be a conveyance of the security property and not a quitclaim. No judicial proceeding shall be required ancillary or supplementary to the procedures provided in this subchapter to establish the validity of the conveyance.

"(b) DEATH OF PURCHASER PRIOR TO CONSUMMATION OF SALE.—If a purchaser dies before execution and delivery of the deed conveying the security property to the purchaser, the foreclosure trustee shall execute and deliver the deed to the representative of the purchaser's estate upon payment of the purchase price in accordance with the terms of sale. Such delivery to the representative of the purchaser's estate shall have the same effect as if accomplished during the lifetime of the purchaser.

"(c) PURCHASER CONSIDERED BONA FIDE PURCHASER WITHOUT NOTICE.—The purchaser of property under this subchapter shall be presumed to be a bona fide purchaser without notice of defects, if any, in the title conveyed to the purchaser.

"(d) POSSESSION BY PURCHASER; CONTINUING INTERESTS.—A purchaser at a foreclosure sale conducted pursuant to this subchapter shall be entitled to possession upon passage of title to the security property, subject to any interest or interests senior to that of the mortgage. The right to possession of any person without an interest senior to the mortgage who is in possession of the property shall terminate immediately upon the passage of title to the security property, and the person shall vacate the security property immediately. The purchaser shall be entitled to take any steps available under Federal law or State law to obtain possession.

"(e) RIGHT OF REDEMPTION; RIGHT OF POSSESSION.—This subchapter shall preempt all Federal and State rights of redemption, statutory, or common law. Upon conclusion of the public auction of the security property, no person shall have a right of redemption.

"(f) PROHIBITION OF IMPOSITION OF TAX ON CONVEYANCE BY THE UNITED STATES OR AGENCY THEREOF.—No tax, or fee in the nature of

a tax, for the transfer of title to the security property by the foreclosure trustee's deed shall be imposed upon or collected from the foreclosure trustee or the purchaser by any State or political subdivision thereof.

"§3411. Record of foreclosure and sale

"(a) RECITAL REQUIREMENTS.—The foreclosure trustee shall recite in the deed to the purchaser, or in an addendum to the foreclosure trustee's deed, or shall prepare an affidavit stating—

- "(1) the date, time, and place of sale;
- "(2) the date of the mortgage, the office in which the mortgage is filed, and the location of the filing of the mortgage;
- "(3) the persons served with the notice of foreclosure sale;
- "(4) the date and place of filing of the notice of foreclosure sale under section 3406(a);
- "(5) that the foreclosure was conducted in accordance with the provisions of this subchapter; and
- "(6) the sale amount.

"(b) EFFECT OF RECITALS.—The recitals set forth in subsection (a) shall be prima facie evidence of the truth of such recitals. Compliance with the requirements of subsection (a) shall create a conclusive presumption of the validity of the sale in favor of bona fide purchasers and encumbrancers for value without notice.

"(c) DEED TO BE ACCEPTED FOR FILING.—The register of deeds or other appropriate official of the county or counties where real estate deeds are regularly filed shall accept for filing and shall file the foreclosure trustee's deed and affidavit, if any, and any other instruments submitted for filing in relation to the foreclosure of the security property under this subchapter.

"§3412. Effect of sale

"A sale conducted under this subchapter to a bona fide purchaser shall bar all claims upon the security property by—

"(1) any person to whom the notice of foreclosure sale was mailed as provided in this subchapter who claims an interest in the property subordinate to that of the mortgage, and the heir, devisee, executor, administrator, successor, or assignee claiming under any such person;

"(2) any person claiming any interest in the property subordinate to that of the mortgage, if such person had actual knowledge of the sale;

"(3) any person so claiming, whose assignment, mortgage, or other conveyance was not filed in the proper place for filing, or whose judgment or decree was not filed in the proper place for filing, prior to the date of filing of the notice of foreclosure sale as required by section 3406(a), and the heir, devisee, executor, administrator, successor, or assignee of such a person; or

"(4) any other person claiming under a statutory lien or encumbrance not required to be filed and attaching to the title or interest of any person designated in any of the foregoing subsections of this section.

"§3413. Disposition of sale proceeds

"(a) DISTRIBUTION OF SALE PROCEEDS.—The foreclosure trustee shall distribute the proceeds of the foreclosure sale in the following order—

"(1)(A) to pay the commission of the foreclosure trustee, other than an agency employee, the greater of—

"(i) the sum of—

"(I) 3 percent of the first \$1,000 collected, plus

"(II) 1.5 percent on the excess of any sum collected over \$1,000; or

"(ii) \$250; and

"(B) the amounts described in subparagraph (A)(i) shall be computed on the gross proceeds of all security property sold at a single sale;

"(2) to pay the expense of any auctioneer employed by the foreclosure trustee, if any, except that the commission payable to the foreclosure trustee pursuant to paragraph (1) shall be reduced by the amount paid to an auctioneer, unless the agency head determines that such reduction would adversely affect the ability of the agency head to retain qualified foreclosure trustees or auctioneers;

"(3) to pay for the costs of foreclosure, including—

"(A) reasonable and necessary advertising costs and postage incurred in giving notice pursuant to section 3406;

"(B) mileage for posting notices and for the foreclosure trustee's or auctioneer's attendance at the sale at the rate provided in section 1921 of title 28, United States Code, for mileage by the most reasonable road distance;

"(C) reasonable and necessary costs actually incurred in connection with any search of title and lien records; and

"(D) necessary costs incurred by the foreclosure trustee to file documents;

"(4) to pay valid real property tax liens or assessments, if required by the notice of foreclosure sale;

"(5) to pay any liens senior to the mortgage, if required by the notice of foreclosure sale;

"(6) to pay service charges and advancements for taxes, assessments, and property insurance premiums; and

"(7) to pay late charges and other administrative costs and the principal and interest balances secured by the mortgage, including expenditures for the necessary protection, preservation, and repair of the security property as authorized under the debt instrument or mortgage and interest thereon if provided for in the debt instrument or mortgage, pursuant to the agency's procedure.

"(b) INSUFFICIENT PROCEEDS.—In the event there are no proceeds of sale or the proceeds are insufficient to pay the costs and expenses set forth in subsection (a), the agency head shall pay such costs and expenses as authorized by applicable law.

"(c) SURPLUS MONIES.—

"(1) After making the payments required by subsection (a), the foreclosure trustee shall—

"(A) distribute any surplus to pay liens in the order of priority under Federal law or the law of the State where the security property is located; and

"(B) pay to the person who was the owner of record on the date the notice of foreclosure sale was filed the balance, if any, after any payments made pursuant to paragraph (1).

"(2) If the person to whom such surplus is to be paid cannot be located, or if the surplus available is insufficient to pay all claimants and the claimants cannot agree on the distribution of the surplus, that portion of the sale proceeds may be deposited by the foreclosure trustee with an appropriate official authorized under law to receive funds under such circumstances. If such a procedure for the deposit of disputed funds is not available, and the foreclosure trustee files a bill of interpleader or is sued as a stakeholder to determine entitlement to such funds, the foreclosure trustee's necessary costs in taking or defending such action shall be deducted first from the disputed funds.

"§3414. Deficiency judgment

"(a) IN GENERAL.—If after deducting the disbursements described in section 3413, the price at which the security property is sold at a foreclosure sale is insufficient to pay the unpaid balance of the debt secured by the security property, counsel for the United States may commence an action or actions

against any or all debtors to recover the deficiency, unless specifically prohibited by the mortgage. The United States is also entitled to recover any amount authorized by section 3011 and costs of the action.

"(b) LIMITATION.—Any action commenced to recover the deficiency shall be brought within 6 years of the last sale of security property.

"(c) CREDITS.—The amount payable by a private mortgage guaranty insurer shall be credited to the account of the debtor prior to the commencement of an action for any deficiency owed by the debtor. Nothing in this subsection shall curtail or limit the subrogation rights of a private mortgage guaranty insurer."

Subchapter B—Sale of Governors Island, New York

SEC. 6021. SALE OF GOVERNORS ISLAND, NEW YORK.

(a) IN GENERAL.—Subject to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Administrator of General Services shall dispose of by sale at fair market value all rights, title, and interests of the United States in and to the land of, and improvements to, Governors Island, New York.

(b) RIGHT OF FIRST REFUSAL.—Before a sale is made under subsection (a) to any other parties, the State of New York and the city of New York shall be given the right of first refusal to purchase all or part of Governors Island. Such right may be exercised by either the State of New York or the city of New York or by both parties acting jointly.

(c) PROCEEDS FROM SALE.—Amounts received by the Administrator from the sale shall be—

(1) made available to pay for costs associated with moving Coast Guard vessels, equipment, and facilities presently sited at Governors Island to a different site, the cost of renovation or construction of appropriate facilities at such site, and the costs of environmental clean-up activities on Governors Island undertaken by the Coast Guard; and

(2) deposited as miscellaneous receipts in the general account of the United States Treasury.

CHAPTER 3—SPENDING DESIGNATION

SEC. 5501. EMERGENCY DESIGNATION.

Congress hereby designates all amounts in this entire title as emergency requirements for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided*, That these amounts shall only be available to the extent an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985 is transmitted by the President to Congress.

**BIDEN (AND OTHERS) AMENDMENT
NO. 3483**

Mr. BIDEN (for himself, Mr. KERRY, Mr. WELLSTONE, Mr. DASCHLE, Mr. LAUTENBERG, Mr. LEVIN, Ms. MIKULSKI, Mr. HARKIN, and Mrs. FEINSTEIN) proposed an amendment to amendment No. 3466 proposed by Mr. HATFIELD to the bill H.R. 3019, *supra*; as follows:

On page 3, line 8, add after "basis.":

COMMUNITY ORIENTED POLICING SERVICES

For public safety and community policing grants pursuant to Title I of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) and related administrative costs, \$1,788,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

On page 29, line 2, strike all after "(the 1990 Act);" through "That" on page 29, line 18 and insert in lieu thereof: "\$1,217,200,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which".

SANTORUM AMENDMENT NOS. 3484-3488

(Ordered to lie on the table.)

Mr. SANTORUM submitted five amendments intended to be proposed by him to the amendment No. 3466 proposed by Mr. HATFIELD to the bill H.R. 3019, supra; as follows:

AMENDMENT No. 3484

SEC. . SENSE OF THE SENATE REGARDING THE BUDGET TREATMENT OF FEDERAL DISASTER ASSISTANCE.

SENSE OF THE SENATE.—It is the Sense of the Senate that the Conference on S. 1594, making Omnibus Consolidated Rescissions & Appropriations for Fiscal Year ending September 30, 1996, and for other purposes, shall find sufficient funding reductions to offset the costs of providing any federal disaster assistance.

AMENDMENT No. 3485

SEC. . SENSE OF THE SENATE REGARDING THE BUDGET TREATMENT OF FEDERAL DISASTER ASSISTANCE.

SENSE OF THE SENATE.—It is the Sense of the Senate that the Congress and the relevant committees of the Senate shall examine the manner in which federal disaster assistance is provided and develop a long-term funding plan for the budgetary treatment of any federal assistance, providing for such funds out of existing budget allocation rather than taking the expenditures off budget and adding to the federal deficit.

AMENDMENT No. 3486

Beginning on page 730, strike line 1 and all that follows through page 750, line 14, and insert the following:

TITLE II—EMERGENCY SUPPLEMENTAL EXPENDITURES AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1996

CHAPTER 1

DEPARTMENT OF AGRICULTURE

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for "Watershed and Flood Prevention Operations" to repair damages to waterways and watersheds resulting from flooding in the Pacific Northwest, the Northeast blizzards and floods, and other natural disasters, the Director of the Federal Emergency Management Agency shall use \$107,514,000, to the extent funds are available to the Director as of the date of enactment of this Act: *Provided*, That if the Secretary determines that the cost of land and restoration of farm structures exceeds the fair market value of certain affected cropland, the Secretary may use sufficient amounts from funds provided under this heading to accept bids from willing sellers to provide conservation easements for the cropland inundated by floods as provided for by the wetlands reserve program, authorized by subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.).

CONSOLIDATED FARM SERVICE AGENCY EMERGENCY CONSERVATION PROGRAM

For necessary expenses to carry into effect the program authorized in sections 401, 402, and 404 of the Agricultural Credit Act of 1978

(16 U.S.C. 2201 et seq.) for expenses resulting from floods in the Pacific Northwest and other natural disasters, the Director of the Federal Emergency Management Agency shall use \$30,000,000, to the extent funds are available to the Director as of the date of enactment of this Act, as authorized by section 404 of the Act (16 U.S.C. 2204).

RURAL HOUSING AND COMMUNITY DEVELOPMENT SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

For an additional amount for the "Rural Housing Insurance Fund Program Account" for the cost of direct loans to assist in the recovery from floods in the Pacific Northwest and other natural disasters, the Director of the Federal Emergency Management Agency shall use \$5,000,000, to the extent funds are available to the Director as of the date of enactment of this Act, for the cost of direct loans under section 502 of the Housing Act of 1949 (42 U.S.C. 1472), and \$1,500,000 for the cost of housing repair loans under section 504 of the Housing Act of 1949 (42 U.S.C. 1474).

VERY LOW-INCOME HOUSING REPAIR GRANTS

For an additional amount for "Very Low-Income Housing Repair Grants" to make housing repairs needed as a result of floods and other natural disasters, pursuant to section 504 of the Housing Act of 1949 (42 U.S.C. 1474), the Director of the Federal Emergency Management Agency shall use \$1,100,000, to the extent funds are available to the Director as of the date of enactment of this Act.

RURAL UTILITIES SERVICE

RURAL UTILITIES ASSISTANCE PROGRAM

For an additional amount for the "Rural Utilities Assistance Program" for the cost of direct loans and grants to assist in the recovery from floods in the Pacific Northwest and other natural disasters, the Director of the Federal Emergency Management Agency shall use \$11,000,000, to the extent funds are available to the Director as of the date of enactment of this Act: *Provided*, That such funds may be available for emergency community water assistance grants as authorized by section 306B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926b).

ADMINISTRATIVE PROVISION

With the prior approval of the House and Senate Committees on Appropriations, funds made available to the Department of Agriculture under this chapter may be transferred by the Secretary of Agriculture between accounts of the Department of Agriculture included in this Act to satisfy emergency disaster funding requirements.

CHAPTER 2

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for emergency expenses resulting from flooding in the Pacific Northwest, the Director of the Federal Emergency Management Agency shall use \$15,000,000, to the extent funds are available to the Director as of the date of enactment of this Act, for grants and related expenses pursuant to the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.); and, in addition, \$1,500,000 for administrative expenses which may be transferred to and merged with the appropriations for "Salaries and Expenses".

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION CONSTRUCTION

For an additional amount for "Construction" for emergency expenses resulting from flooding in the Pacific Northwest and other natural disasters, the Director of the Federal Emergency Management Agency shall use \$10,000,000, to the extent funds are available to the Director as of the date of enactment of this Act.

RELATED AGENCY

SMALL BUSINESS ADMINISTRATION DISASTER LOANS PROGRAM ACCOUNT

For an additional amount for "Disaster Loans Program Account", the Director of the Federal Emergency Management Agency shall use \$69,700,000 for the cost of direct loans, to the extent funds are available to the Director as of the date of enactment of this Act: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a); and for administrative expenses to carry out the direct loan program, \$30,300,000, to the extent funds are available to the Director as of the date of enactment of this Act.

CHAPTER 3

ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for "Operation and Maintenance, General", the Director of the Federal Emergency Management Agency shall use \$30,000,000, to the extent funds are available to the Director as of the date of enactment of this Act.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for "Flood Control and Coastal Emergencies", the Director of the Federal Emergency Management Agency shall use \$135,000,000, to the extent funds are available to the Director as of the date of enactment of this Act.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

CONSTRUCTION PROGRAM

For an additional amount for the "Construction Program", the Director of the Federal Emergency Management Agency shall use \$18,000,000, to the extent funds are available to the Director as of the date of enactment of this Act.

CHAPTER 4

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

CONSTRUCTION AND ACCESS

For an additional amount for "Construction and Access", the Director of the Federal Emergency Management Agency shall use \$5,000,000, to the extent funds are available to the Director as of the date of enactment of this Act, to repair roads, culverts, bridges, facilities, fish and wildlife protective structures, and recreation sites, damaged because of the Pacific Northwest flooding.

OREGON AND CALIFORNIA GRANT LANDS

For an additional amount for "Oregon and California Grant Lands", the Director of the Federal Emergency Management Agency shall use \$35,000,000, to the extent funds are available to the Director as of the date of enactment of this Act, to repair roads, culverts, bridges, facilities, fish and wildlife protective structures, and recreation sites, damaged because of the Pacific Northwest flooding.

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for "Construction", the Director of the Federal Emergency Management Agency shall use \$32,000,000, to the extent funds are available to the Director as of the date of enactment of this Act, to repair damage caused by hurricanes, floods, and other acts of nature.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for "Construction", the Director of the Federal Emergency Management Agency shall use \$47,000,000, to the extent funds are available to the Director as of the date of enactment of this Act, to repair damage caused by hurricanes, floods, and other acts of nature.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for "Surveys, Investigations, and Research", the Director of the Federal Emergency Management Agency shall use \$2,000,000, to the extent funds are available to the Director as of the date of enactment of this Act, for costs related to hurricanes, floods, and other acts of nature.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For an additional amount for "Operation of Indian Programs", the Director of the Federal Emergency Management Agency shall use \$500,000, to the extent funds are available to the Director as of the date of enactment of this Act, for emergency operations and repairs related to winter floods.

CONSTRUCTION

For an additional amount for "Construction", the Director of the Federal Emergency Management Agency shall use \$16,500,000, to the extent funds are available to the Director as of the date of enactment of this Act, for emergency repairs related to winter floods.

TERRITORIAL AND INTERNATIONAL AFFAIRS

ASSISTANCE TO TERRITORIES

For an additional amount for "Assistance to Territories", the Director of the Federal Emergency Management Agency shall use \$13,000,000, to the extent funds are available to the Director as of the date of enactment of this Act, for recovery efforts from Hurricane Marilyn.

DEPARTMENT OF AGRICULTURE

NATIONAL FOREST SYSTEM

For an additional amount for "National Forest System", the Director of the Federal Emergency Management Agency shall use \$26,600,000, to the extent funds are available to the Director as of the date of enactment of this Act, to repair damage caused by hurricanes, floods, and other acts of nature, including \$300,000 for the costs associated with emergency removal and remediation, including access repairs, at the Amalgamated Mine site in the Willamette National Forest, containing sulphur-rich and other mining tailings, in order to prevent contamination of Battle Ax Creek, and the Little North Fork of the Santiam River, from which the city of Salem, Oregon, obtains its municipal water supply.

CONSTRUCTION

For an additional amount for "Construction", the Director of the Federal Emergency Management Agency shall use \$60,800,000, to the extent funds are available to the Director as of the date of enactment of this Act.

CHAPTER 5

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

PAYMENTS TO AIR CARRIERS

The first proviso under the heading "PAYMENTS TO AIR CARRIERS" in title I of the Department of Transportation and Related Agencies Appropriations Act, 1996 (Public Law 104-50; 109 Stat. 437), is amended to read as follows: "Provided, That none of the funds in this Act shall be available for the implementation or execution of programs in excess of \$22,600,000 from the Airport and Airway Trust Fund for the Payments to Air Carriers program in fiscal year 1996:".

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

For the emergency fund authorized by section 125 of title 23, United States Code, to cover expenses arising from the January 1996 flooding in the Mid-Atlantic, Northeast, and Northwest States and other disasters, the Director of the Federal Emergency Management Agency shall use \$300,000,000, to the extent funds are available to the Director as of the date of enactment of this Act: *Provided*, That section 125(b)(1) of title 23, United States Code, shall not apply to projects relating to the January 1996 flooding in the Mid-Atlantic, Northeast, and Northwest States.

FEDERAL RAILROAD ADMINISTRATION

LOCAL RAIL FREIGHT ASSISTANCE

For expenses pursuant to chapter 221 of title 49, United States Code, to repair and rebuild rail lines of other than class I railroads (as defined by the Surface Transportation Board) or railroads owned or controlled by a class I railroad, having carried 5,000,000 gross ton miles or less per mile during the prior year, and damaged as a result of the floods of 1996, the Director of the Federal Emergency Management Agency shall use \$10,000,000, to the extent funds are available to the Director as of the date of enactment of this Act: *Provided*, That for the purposes of administering this emergency relief, the Secretary of Transportation shall have authority to make funds available notwithstanding subsections (a)(1), (a)(3), and (d) of section 22101, sections 22102 through 22104, section 22105(a), and subsections (a) and (b) of section 22108, of title 49, United States Code, as the Secretary considers appropriate and shall consider the extent to which the State has available unexpended local rail freight assistance funds or available repaid loan funds: *Provided further*, That, notwithstanding chapter 221 of title 49, United States Code, the Secretary may prescribe the form and time for applications for assistance made available under this heading.

FEDERAL TRANSIT ADMINISTRATION

MASS TRANSIT CAPITAL FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION)

For an additional amount for payment of obligations incurred in carrying out section 5338(b) of title 49, United States Code, administered by the Federal Transit Administration, the Director of the Federal Emergency Management Agency shall use \$375,000,000, to the extent funds are available to the Director as of the date of enactment of this Act.

CHAPTER 6

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT GRANTS

For an additional amount for "Community Development Grants", the Director of the

Federal Emergency Management Agency shall use \$100,000,000, to the extent funds are available to the Director as of the date of enactment of this Act, for emergency expenses and repairs related to recent presidentially declared disaster areas, including up to \$10,000,000 which may be made available for rental subsidy contracts under the housing certificate program and the housing voucher program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), except that such amount shall be available only for temporary housing assistance, not in excess of 1 year in duration, and shall not be subject to renewal.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Disaster Relief", the Director of the Federal Emergency Management Agency shall use \$150,000,000, to the extent funds are available to the Director as of the date of enactment of this Act, which, in whole or in part, may be transferred to the Disaster Assistance Direct Loan Program Account for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184): *Provided*, That such transfer of funds may be made to subsidize gross obligations for the principal amount of direct loans not to exceed \$170,000,000 under that section: *Provided further*, That any such transfer of funds shall be made only on certification by the Director of the Federal Emergency Management Agency that all requirements of that section will be complied with.

On page 756, strike lines 8 through 10 and insert the following:

SEC. 1102. It is the sense of Congress that Congress should appropriate, during the period consisting of fiscal years 1997 through 2001, a total of not less than \$1,250,000,000 to the Federal Emergency Management Agency to reimburse the Agency for the expenditures required under chapters 1 through 6.

AMENDMENT NO. 3487

At the end of title II of the committee substitute, add the following:

SEC. .(a) Notwithstanding any other provision of this title, none of the amounts provided in this title is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(I) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Each amount provided in a nonexempt discretionary spending nondefense account covered by title I is reduced by the uniform percentage necessary to offset nondefense discretionary amounts provided in this title. The reductions required by this subsection shall be implemented generally in accordance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985.

AMENDMENT NO. 3488

At the end of title II of the committee substitute, add the following:

Sec. .(a) Notwithstanding any other provision of this title, none of the amounts provided in this title is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(I) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Each amount provided for 'Salaries and Expenses' and 'Administrative Expenses' within Title I are reduced by the uniform percentage necessary to offset nondefense discretionary amounts provided in this title, except for—

(A) Amounts Provided Under the Heading:

(i) "Federal Emergency Management Agency;"

(i) "Salaries and Expenses."

The reductions required by this subsection shall be implemented generally in accordance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985.

GORTON AMENDMENT NO. 3489

Mr. GREGG (for Mr. GORTON) proposed an amendment to amendment No. 3466 proposed by Mr. HATFIELD to the bill H.R. 3019, *supra*; as follows:

Amend page 113, line 11 by striking the period at the end of the sentence and adding: "Provided further, That the FCC shall pay the travel-related expenses of the Federal-State Joint Board on Universal Service for those activities described in the Telecommunications Act of 1996 (47 U.S.C. 254(a)(1))."

GRAMM (AND OTHERS) AMENDMENT NO. 3490

Mr. GRAMM (for himself, Mr. SANTORUM, Mr. MCCAIN, and Mr. NICKLES) proposed an amendment to amendment No. 3466 proposed by Mr. HATFIELD to the bill H.R. 3019, *supra*; as follows:

At the end of title II of the committee substitute, add the following:

SEC. . (a) Notwithstanding any other provision of this title, none of the amounts provided in this title is designated by Congress as an emergency requirement pursuant to section 25(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Each amount provided in a nonexempt discretionary spending nondefense account for fiscal year 1996 is reduced by the uniform percentage necessary to offset non-defense discretionary amounts provided in this title. The reductions required by this subsection shall be implemented generally in accordance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985.

BIDEN AMENDMENT NO. 3491

Mr. GREGG (for Mr. BIDEN) proposed an amendment to amendment No. 2466 proposed by Mr. HATFIELD to the bill H.R. 3019, *supra*; as follows:

On page 29, line 20, after "Provided further," insert "That not less than \$20,000,000 of this amount shall be for Boys & Girls Clubs of America for the establishment of Boys & Girls Clubs in public housing facilities and other areas in cooperation with state and local law enforcement: *Provided further,*"

GRAMS (AND OTHERS) AMENDMENT NO. 3492

Mr. GRAMS (for himself, Mr. MCCAIN, Mr. FAIRCLOTH, Mr. INHOFE, Mrs. HUTCHISON, and Mr. HELMS) proposed an amendment to amendment No. 3466 proposed by Mr. HATFIELD to the bill H.R. 3019, *supra*; as follows:

At the end of the amendment (before the short title), add the following new title:

TITLE V—DEFICIT REDUCTION LOCK-BOX
SEC. 501. SHORT TITLE.

This title may be cited as the "Deficit Reduction Lock-box Act of 1996".

SEC. 502. DEFICIT REDUCTION LOCK-BOX LEDGER.

(a) ESTABLISHMENT OF LEDGER.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

"DEFICIT REDUCTION LOCK-BOX LEDGER

"SEC. 314. (a) ESTABLISHMENT OF LEDGER.—The Director of the Congressional Budget Of-

fice (hereafter in this section referred to as the "Director") shall maintain a ledger to be known as the "Deficit Reduction Lock-box Ledger". The Ledger shall be divided into entries corresponding to the subcommittees of the Committees on Appropriations. Each entry shall consist of three parts: the 'House Lock-box Balance'; the 'Senate Lock-box Balance'; and the 'Joint House-Senate Lock-box Balance'.

"(b) COMPONENTS OF LEDGER.—Each component in an entry shall consist only of amounts credited to it under subsection (c). No entry of a negative amount shall be made.

"(c) CREDIT OF AMOUNTS TO LEDGER.—(1) The Director shall, upon the engrossment of any appropriation bill by the House of Representatives and upon the engrossment of that bill by the Senate, credit to the applicable entry balance of that House amounts of new budget authority and outlays equal to the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by that House to that bill.

"(2) The Director shall, upon the engrossment of Senate amendments to any appropriation bill, credit to the applicable Joint House-Senate Lock-box Balance the amounts of new budget authority and outlays equal to—

—(A) an amount equal to one-half of the sum of (i) the amount of new budget authority in the House Lock-box Balance, plus (ii) the amount of new budget authority in the Senate Lock-box Balance for that bill; and

—(B) an amount equal to one-half of the sum of (i) the amount of outlays in the House Lock-box Balance, plus (ii) the amount of outlays in the Senate Lock-box Balance for that bill.

"(3) For purposes of calculating under this section the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by the Senate on an appropriation bill, the amendments reported to the Senate by its Committee on Appropriations shall be considered to be part of the original text of the bill.

"(d) DEFINITION.—As used in this section, the term 'appropriation bill' means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of a fiscal year."

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 313 the following new item:

"Sec. 314. Deficit reduction lock-box ledger."

SEC. 503. TALLY DURING HOUSE CONSIDERATION.

There shall be available to Members in the House of Representatives during consideration of any appropriations bill by the House a running tally of the amendments adopted reflecting increases and decreases of budget authority in the bill as reported.

SEC. 504. DOWNWARD ADJUSTMENT OF 602(a) ALLOCATIONS AND SECTION 602(b) SUBALLOCATIONS.

(a) ALLOCATIONS.—Section 602(a) of the Congressional Budget Act of 1974 is amended by adding at the end the following new paragraph:

"(5) Upon the engrossment of Senate amendments to any appropriation bill (as defined in section 314(d)) for a fiscal year, the amounts allocated under paragraph (1) or (2) to the Committee on Appropriations of each House upon the adoption of the most recent concurrent resolution on the budget for that fiscal year shall be adjusted downward by

the amounts credited to the applicable Joint House-Senate Lock-box Balance under section 314(c)(2). The revised levels of budget authority and outlays shall be submitted to each House by the chairman of the Committee on the Budget of that House and shall be printed in the Congressional Record."

(b) SUBALLOCATIONS.—Section 602(b)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentence: "Whenever an adjustment is made under subsection (a)(5) to an allocation under that subsection, the chairman of the Committee on Appropriations of each House shall make downward adjustments in the most recent suballocations of new budget authority and outlays under subparagraph (A) to the appropriate subcommittees of that committee in the total amounts of those adjustments under section 314(c)(2). The revised suballocations shall be submitted to each House by the chairman of the Committee on Appropriations of that House and shall be printed in the Congressional Record."

SEC. 505. PERIODIC REPORTING OF LEDGER STATEMENTS.

Section 308(b)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentence: "Such reports shall also include an up-to-date tabulation of the amounts contained in the ledger and each entry established by section 314(a)."

SEC. 506. DOWNWARD ADJUSTMENT OF DISCRETIONARY SPENDING LIMITS.

The discretionary spending limits for new budget authority and outlays for any fiscal year set forth in section 601(a)(2) of the Congressional Budget Act of 1974, as adjusted in strict conformance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, shall be reduced by the amounts set forth in the final regular appropriation bill for that fiscal year or joint resolution making continuing appropriations through the end of that fiscal year. Those amounts shall be the sums of the Joint House-Senate Lock-box Balances for that fiscal year, as calculated under section 602(a)(5) of the Congressional Budget Act of 1974. That bill or joint resolution shall contain the following statement of law: "As required by section 6 of the Deficit Reduction Lock-box Act of 1995, for fiscal year [insert appropriate fiscal year] and each outyear, the adjusted discretionary spending limit for new budget authority shall be reduced by \$ [insert appropriate amount of reduction] and the adjusted discretionary limit for outlays shall be reduced by \$ [insert appropriate amount of reduction] for the budget year and each outyear." Notwithstanding section 904(c) of the Congressional Budget Act of 1974, section 306 of that Act as it applies to this statement shall be waived. This adjustment shall be reflected in reports under sections 254(g) and 254(h) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 507. ADJUSTMENT FOR STIMULATIVE EFFECT OF REVENUE REDUCTIONS.

(a) AMOUNT OF ADJUSTMENT.—

(1) OMB.—Effective in 1997 and not later than October 15 of each year, the Director of OMB shall estimate the amount of the stimulative economic effect of any provisions enacted beginning with calendar year 1997 reducing revenues with respect to increasing revenues in the fiscal year ending in the year of the estimate. The Director of OMB shall calculate stimulative effect by determining the amount by which actual revenues exceed the projected level of revenues and then estimating the amount of the excess (fiscal dividend excess) attributable to enacted revenue reduction provisions.

(2) CBO CERTIFICATION.—Not later than October 20, the Director of the CBO shall certify the estimates and projections of the Director of OMB made under this subsection. If

the Director of CBO cannot certify the estimates and projections, the Director shall notify Congress and the President of the disagreement and submit revised estimates.

(b) **REDUCTION OF DEFICIT.**—If the Director of OMB determines that a fiscal dividend excess exists under subsection (a) and on November 1, the President may—

(1) direct the Secretary of the Treasury to pay an amount not to exceed the level of excess to retire debt obligations of the United States; or

(2) submit a legislative proposal to Congress for reducing taxes by the amount of excess not dedicated to deficit reduction to be considered by Congress as provided in subsection (c).

(c) **EXPEDITED PROCEDURE.**—

(1) **INTRODUCTION.**—Not later than 3 days after the President submits a legislative proposal under subsection (b)(2), the Majority Leaders of the Senate and the House of Representatives shall introduce the proposal in their respective Houses as a bill. If the bill described in the preceding sentence is not introduced as provided in the preceding sentence, then, on the 4th day after the submission of the legislative proposal by the President, any Member of that House may introduce the bill.

(2) **REFERRAL TO COMMITTEE.**—A bill described in paragraph (1) introduced in the House of Representatives shall be referred to the Committee on Ways and Means of the House of Representatives. A bill described in paragraph (1) introduced in the Senate shall be referred to the Committee on Finance of the Senate. If more than 1 bill is introduced as provided in paragraph (1), the committee shall consider and report the first bill introduced. Amendments to the bill in committee may not reduce revenues in the bill below the amount proposed by the President. Such a bill may not be reported before the 8th day after its introduction.

(3) **DISCHARGE OF COMMITTEE.**—If the committee to which is referred a bill described in paragraph (1) has not reported such bill at the end of 15 calendar days after its introduction, such committee shall be deemed to be discharged from further consideration of such bill and such bill shall be placed on the appropriate calendar of the House involved.

(4) **FLOOR CONSIDERATION.**—

(A) **IN GENERAL.**—When the committee to which a bill is referred has reported, or has been deemed to be discharged (under paragraph (3)) from further consideration of, a bill described in paragraph (1), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the bill, and all points of order against the bill (and against consideration of the bill) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the bill is agreed to, the bill shall remain the unfinished business of the respective House until disposed of.

(B) **DEBATE.**—Consideration of the bill, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 20 hours, which shall be divided equally between those favoring and those opposing the bill. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the bill is not in order. A mo-

tion to reconsider the vote by which the bill is agreed to or disagreed to is not in order. Debate on amendments to the bill shall be limited to 30 minutes equally divided. Amendments to the bill may not reduce revenues in the bill below the amount proposed by the President.

(C) **VOTE ON FINAL PASSAGE.**—Immediately following the conclusion of the debate on a bill described in paragraph (1), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the bill shall occur.

(D) **RULINGS OF THE CHAIR ON PROCEDURE.**—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a bill described in paragraph (1) shall be decided without debate.

(5) **COORDINATION WITH ACTION BY OTHER HOUSE.**—If, before the passage by one House of a bill of that House described in paragraph (1), that House receives from the other House a bill described in paragraph (1), then the following procedures shall apply:

(A) The bill of the other House shall not be referred to a committee.

(B) With respect to a bill described in paragraph (1) of the House receiving the bill—

(i) the procedure in that House shall be the same as if no bill had been received from the other House; but

(ii) the vote on final passage shall be on the bill of the other House.

(6) **RULES OF HOUSE OF REPRESENTATIVES AND SENATE.**—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a bill described in paragraph (1), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(d) **DEFICIT REDUCTION IF TAX REDUCTIONS NOT ENACTED.**—If tax reductions are not enacted by December 31 of the year of the submission of a legislative proposal under subsection (b)(2), the President shall pay an amount equal to the amount by which revenues are not reduced to deficit reduction as provided in subsection (b)(1).

(e) **DEFINITION.**—For purposes of this section, the term “stimulative economic effect of any laws reducing revenues” refers to laws that have the effect of stimulating savings, investment, job creation, and economic growth.

NOTICE OF HEARING

SUBCOMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. STEVENS. Mr. President, I would like to announce that the Subcommittee on Post Office and Civil Service, of the Committee on Governmental Affairs, will hold a hearing on March 18, 1996, on “USPS Reform—Conversations With Customers.”

The hearing is scheduled for 2 p.m. in room 342 of the Dirksen Senate Office Building. For further information, please contact Pat Raymond, staff director, at 224-2254.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 9:30 a.m. on Wednesday, March 13, 1996, in closed/open session, to receive testimony on the Department of Energy atomic energy defense programs—Nuclear stockpile stewardship and management.

The hearing will begin with the closed portion and attendance will be restricted to those with a “Q” clearance.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that a hearing has been scheduled before the full Committee on Energy and Natural Resources to receive testimony regarding S. 1605, a bill to amend and extend certain authorities in the Energy Policy and Conservation Act which either have expired or will expire June 30, 1996.

The hearing will be held on Thursday, March 21, 1996. It will begin at 2 p.m., and will take place in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

For further information, please call Karen Hunsicker or Betty Nevitt at (202) 224-0765.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, March 13, 1996, for purposes of conducting a full committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this meeting is to consider pending calendar business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 2 p.m. on Wednesday, March 13, 1996, in open session, to receive testimony on the Defense authorization request for fiscal year 1997 and the future years defense plan.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 13, 1996, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Wednesday, March 13, 1996 at 10 a.m.