

to; that the Lankford amendment at the desk be agreed to; and that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendments were agreed to.

The amendment (No. 1251) is as follows:

(Purpose: To make certain corrections)

On page 2, line 11, strike “appointed” and insert “designated”.

On page 2, line 23, strike “appointed” and insert “designated”.

The bill (S. 1430), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 1430

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Representative Payee Fraud Prevention Act of 2019”.

SEC. 2. REPRESENTATIVE PAYEE FRAUD.

(a) DEFINITIONS.—

(1) CSRS.—Section 8331 of title 5, United States Code, is amended—

(A) in paragraph (31), by striking “and” at the end;

(B) in paragraph (32), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(33) ‘representative payee’ means a person (including an organization) designated under section 8345(e)(1) to receive payments on behalf of a minor or an individual mentally incompetent or under other legal disability.”.

(2) FERS.—Section 8401 of title 5, United States Code, is amended—

(A) in paragraph (37), by striking “and” at the end;

(B) in paragraph (38), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(39) ‘representative payee’ means a person (including an organization) designated under section 8466(c)(1) to receive payments on behalf of a minor or an individual mentally incompetent or under other legal disability.”.

(b) EMBEZZLEMENT OR CONVERSION.—

(1) CSRS.—Subchapter III of chapter 83 of title 5, United States Code, is amended by inserting after section 8345 the following:

“§ 8345a. Embezzlement or conversion of payments

(a) EMBEZZLING AND CONVERSION GENERALLY.—

“(1) IN GENERAL.—It shall be unlawful for a representative payee to embezzle or in any manner convert all or any part of the amounts received from payments received as a representative payee to a use other than for the use and benefit of the minor or individual on whose behalf such payments were received.

“(2) REVOCATION.—If the Office determines that a representative payee has embezzled or converted payments as described in paragraph (1), the Office shall promptly—

“(A) revoke the certification for payment of benefits to the representative payee; and

“(B) certify payment—

“(i) to another representative payee; or

“(ii) if the interest of the individual under this title would be served thereby, to the individual.

“(b) PENALTY.—Any person who violates subsection (a)(1) shall be fined under title 18, imprisoned for not more than 5 years, or both.”.

(2) FERS.—Subchapter VI of chapter 84 of title 5, United States Code, is amended by inserting after section 8466 the following:

“§ 8466a. Embezzlement or conversion of payments

(a) EMBEZZLING AND CONVERSION GENERALLY.—

“(1) IN GENERAL.—It shall be unlawful for a representative payee to embezzle or in any manner convert all or any part of the amounts received from payments received as a representative payee to a use other than for the use and benefit of the minor or individual on whose behalf such payments were received.

“(2) REVOCATION.—If the Office determines that a representative payee has embezzled or converted payments as described in paragraph (1), the Office shall promptly—

“(A) revoke the certification for payment of benefits to the representative payee; and

“(B) certify payment—

“(i) to another representative payee; or

“(ii) if the interest of the individual under this title would be served thereby, to the individual.

“(b) PENALTY.—Any person who violates subsection (a)(1) shall be fined under title 18, imprisoned for not more than 5 years, or both.”.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) The table of sections for chapter 83 of title 5, United States Code, is amended by inserting after the item relating to section 8345 the following:

“8345a. Embezzlement or conversion of payments.”

(B) The table of sections for chapter 84 of title 5, United States Code, is amended by inserting after the item relating to section 8466 the following:

“8466a. Embezzlement or conversion of payments.”

(c) DEFERRAL OF PAYMENT PENDING APPOINTMENT OF REPRESENTATIVE PAYEE.—

(1) CSRS.—Section 8345(e) of title 5, United States Code, is amended—

(A) by inserting “(1)” after “(e)”; and

(B) in the first sentence, by inserting “(including an organization)” after “person”;

(C) in the second sentence—

(i) by inserting “(including an organization)” after “any person”; and

(ii) by inserting “and may appropriately receive such payments on behalf of the claimant” after “claimant” the second place it appears; and

(D) by adding at the end the following:

“(2) If the Office determines that direct payment of a benefit to an individual mentally incompetent or under other legal disability would cause substantial harm to the individual, the Office may defer or suspend direct payment of the benefit until such time as the appointment of a representative payee is made. The Office shall resume payment as soon as practicable, including all amounts due.”.

(2) FERS.—Section 8466(c) of title 5, United States Code, is amended—

(A) by inserting “(1)” after “(c)”; and

(B) in the first sentence, by inserting “(including an organization)” after “person”;

(C) in the second sentence—

(i) by inserting “(including an organization)” after “any person”; and

(ii) by inserting “and may appropriately receive such payments on behalf of the claimant” after “claimant” the second place it appears; and

(D) by adding at the end the following:

“(2) If the Office determines that direct payment of a benefit to an individual mentally incompetent or under other legal disability would cause substantial harm to the individual, the Office may defer or suspend

direct payment of the benefit until such time as the appointment of a representative payee is made. The Office shall resume payment as soon as practicable, including all amounts due.”.

(d) LIMITATIONS ON APPOINTMENTS OF REPRESENTATIVE PAYEES.—

(1) CSRS.—Section 8345 of title 5, United States Code, is amended by inserting after subsection (e) the following:

“(f) The Office may not authorize a person to receive payments on behalf of a minor or individual of legal disability under subsection (e) if that person has been convicted of a violation of—

“(1) section 8345a or 8466a;

“(2) section 208 or 1632 of the Social Security Act (42 U.S.C. 408, 1383a); or

“(3) section 6101 of title 38.”.

(2) FERS.—Section 8466 of title 5, United States Code, is amended by adding at the end the following:

“(d) The Office may not authorize a person to receive payments on behalf of a minor or individual of legal disability under subsection (c) if that person has been convicted of a violation of—

“(1) section 8345a or 8466a;

“(2) section 208 or 1632 of the Social Security Act (42 U.S.C. 408, 1383a); or

“(3) section 6101 of title 38.”.

SEC. 3. IMPLEMENTATION.

(a) AUTHORIZATION OF PAYMENTS.—Section 8348(a)(1)(B) of title 5, United States Code, is amended by inserting “in administering fraud prevention under sections 8345, 8345a, 8466, and 8466a of this title,” after “8465(b) of this title.”.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Office of Personnel Management—

(1) shall promulgate regulations to carry out the amendments made by section 2; and

(2) may promulgate additional regulations relating to the administration of the representative payee program.

SEC. 4. EFFECTIVE DATE.

The amendments made by section 2—

(1) shall take effect on the date of the enactment of this Act; and

(2) apply on and after the effective date of the regulations promulgated under section 3(b)(1).

DESIGNATING THE COMMUNITY-BASED OUTPATIENT CLINIC OF THE DEPARTMENT OF VETERANS AFFAIRS IN BOZEMAN, MONTANA, AS THE TRAVIS W. ATKINS DEPARTMENT OF VETERANS AFFAIRS CLINIC

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be discharged from further consideration of S. 900 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 900) to designate the community-based outpatient clinic of the Department of Veterans Affairs in Bozeman, Montana, as the “Travis W. Atkins Department of Veterans Affairs Clinic”.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the bill be

considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 900) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 900

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF TRAVIS W. ATKINS DEPARTMENT OF VETERANS AFFAIRS CLINIC IN BOZEMAN, MONTANA.

(a) DESIGNATION.—The community-based outpatient clinic of the Department of Veterans Affairs located at 300 North Willson Avenue, Bozeman, Montana, shall after the date of the enactment of this Act be known and designated as the “Travis W. Atkins Department of Veterans Affairs Clinic” or the “Travis W. Atkins VA Clinic”.

(b) REFERENCE.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the community-based outpatient clinic referred to in subsection (a) shall be considered to be a reference to the Travis W. Atkins Department of Veterans Affairs Clinic.

DESIGNATING THE DEPARTMENT OF VETERANS AFFAIRS COMMUNITY-BASED OUTPATIENT CLINIC IN ODESSA, TEXAS, AS THE WILSON AND YOUNG MEDAL OF HONOR VA CLINIC

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be discharged from further consideration of H.R. 2334 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2334) to designate the Department of Veterans Affairs community-based outpatient clinic in Odessa, Texas, as the “Wilson and Young Medal of Honor VA Clinic”.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 2334) was ordered to a third reading, was read the third time, and passed.

THE CALENDAR

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the following calendar bills en bloc: Calendar Nos. 247 and 293 through 303.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mrs. FISCHER. I ask unanimous consent that the bills be considered read a third time and passed and the motions

to reconsider be considered made and laid upon the table, all en bloc.

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

ELIZABETH BUFFUM CHACE POST OFFICE

The bill (H.R. 2451) to designate the facility of the United States Postal Service located at 575 Dexter Street in Central Falls, Rhode Island, as the “Elizabeth Buffum Chace Post Office,” was ordered to a third reading, was read the third time, and passed.

CAPTAIN ROBERT C. HARMON AND PRIVATE JOHN R. PEIRSON POST OFFICE BUILDING

The bill (S. 2712) to designate the facility of the United States Postal Service located at 430 South Knowles Avenue in New Richmond, Wisconsin, as the “Captain Robert C. Harmon and Private John R. Peirson Post Office Building,” was ordered to be engrossed for a third reading, was read the third time, and passed.

(The bill is printed in the Record of Monday, December 2, 2019)

JERRY C. WASHBURN POST OFFICE BUILDING

The bill (H.R. 887) to designate the facility of the United States Postal Service located at 877 East 1200 South in Orem, Utah, as the “Jerry C. Washburn Post Office Building,” was ordered to a third reading, was read the third time, and passed.

MARILYN MONROE POST OFFICE

The bill (H.R. 1252) to designate the facility of the United States Postal Service located at 6531 Van Nuys Boulevard in Van Nuys, California, as the “Marilyn Monroe Post Office,” was ordered to a third reading, was read the third time, and passed.

RITCHIE VALENS POST OFFICE BUILDING

The bill (H.R. 1253) to designate the facility of the United States Postal Service located at 13507 Van Nuys Boulevard in Pacoima, California, as the “Ritchie Valens Post Office Building,” was ordered to a third reading, was read the third time, and passed.

EVA G. HEWITT POST OFFICE

The bill (H.R. 1526) to designate the facility of the United States Postal Service located at 200 Israel Road Southeast in Tumwater, Washington, as the “Eva G. Hewitt Post Office,” was ordered to a third reading, was read the third time, and passed.

CORPORAL ALEX MARTINEZ MEMORIAL POST OFFICE BUILDING

The bill (H.R. 1844) to designate the facility of the United States Postal Service located at 66 Grove Court in Elgin, Illinois, as the “Corporal Alex

Martinez Memorial Post Office Building,” was ordered to a third reading, was read the third time, and passed.

JEANNETTE RANKIN POST OFFICE BUILDING

The bill (H.R. 1972) to designate the facility of the United States Postal Service located at 1100 West Kent Avenue in Missoula, Montana, as the “Jeannette Rankin Post Office Building,” was ordered to a third reading, was read the third time, and passed.

SENIOR CHIEF PETTY OFFICER SHANNON M. KENT POST OFFICE

The bill (H.R. 2151) to designate the facility of the United States Postal Service located at 7722 South Main Street in Pine Plains, New York, as the “Senior Chief Petty Officer Shannon M. Kent Post Office,” was ordered to a third reading, was read the third time, and passed.

65TH INFANTRY REGIMENT POST OFFICE BUILDING

A bill (H.R. 2325) to designate the facility of the United States Postal Service located at 100 Calle Alondra in San Juan, Puerto Rico, as the “65th Infantry Regiment Post Office Building,” was ordered to a third reading, was read the third time, and passed.

JOSE RAMOS POST OFFICE BUILDING

A bill (H.R. 3144) to designate the facility of the United States Postal Service located at 8520 Michigan Avenue in Whittier, California, as the “Jose Ramos Post Office Building,” was ordered to a third reading, was read the third time, and passed.

LAKE HAVASU CITY COMBAT VETERANS MEMORIAL POST OFFICE BUILDING

A bill (H.R. 3314) to designate the facility of the United States Postal Service located at 1750 McCulloch Boulevard North in Lake Havasu City, Arizona, as the “Lake Havasu City Combat Veterans Memorial Post Office Building,” was ordered to a third reading, was read the third time, and passed.

APPOINTMENTS AUTHORITY

Mrs. FISCHER. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law by concurrent action of the two Houses or by order of the Senate.