certain chemicals, and for other purposes; to the Committee on Ways and Means.

H.R. 3608. A bill to suspend temporarily the duty on certain chemicals; to the Committee on Ways and Means.

H.R. 3609. A bill to improve the competitiveness of American industry in the markets for telecommunications equipment and customer premises equipment, and for other purposes; jointly, to the Committees on Energy and Commerce and the Judiciary.

By Ms. SLAUGHTER:

H.R. 3610. A bill to amend the Internal Revenue Code of 1986 to provide that distributions from a controlled foreign corporation to a U.S. shareholder shall be excluded from gross income if at least a portion of the distribution is invested in certain property located in the United States and in the employment of new employees in the United States; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. DELLUMS, Ms. PELOSI, Mr. HORN of California, Mr. MATSUI, Mr. LANTOS, Ms. WOOLSEY, Mr. HAMBURG, Ms. ESHOO, Mr. MILLER of California, Mr. FAZIO, Mr. GALLEGLY, and Mr. MINETA):

H.R. 3611. A bill to establish the California Urban Environmental Research and Education Center; jointly, to the Committees on Science, Space, and Technology and Education and Labor.

By Mr. YOUNG of Alaska:

H.R. 3612. A bill to amend the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Natural Resources.

H.R. 3613. A bill entitled, ''The Kenai Natives Association Equity Act''; jointly, to the Committees on Natural Resources and Merchant Marine and Fisheries.

By Mr. HILLIARD:

H.J. Res. 299. Joint resolution designating May 1, 1994, as ''National Youth Day''; to the Committee on Post Office and Civil Service.

By Mrs. MALONEY (for herself, Mr. BILIRAKIS, Mr. ENGEL, and Mr. PORTER):

H. Con. Res. 186. Concurrent resolution in support of the United National Secretary General's current efforts regarding Cyprus; to the Committee on Foreign Affairs.

By Mr. TORRICELLI:

H. Con. Res. 187. Concurrent resolution relating to the December 1993 Presidential election in Gabon; to the Committee on Foreign Affairs.

By Mr. PALLONE (for himsef, Ms. LOWEY, Mr. SCHUMER, Mr. Frank of Massachusetts, Mr. MENENDEZ, Mr. LANTOS, Mr. ZIMMER, and Mr. BERMAN):

H. Res. 323. Resolution relating to the treatment of Hugo Princz, a United States citizen, by the Federal Republic of Germany; to the Committee on Foreign Affairs.

¶139.43 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 465: Mr. GOODLATTE.
H.R. 466: Ms. KAPTUR and Ms. DANNER.
H.R. 507: Mr. SANTORUM.
H.R. 723: Mrs. VUCANOVICH AND Mr. ROYCE.
H.R. 739: Mr. GOODLATTE.
H.R. 823: Ms. LONG, Mr. FINGERHUT, and Ms. SHEPHERD.
H.R. 1483: Mr. GOODLATTE.
H.R. 1487: Mr. GOODLATTE.
H.R. 1860: Mr. ZIMMER.
H.R. 1887: Ms. MCKINNEY and Mr. QUINN.
H.R. 2569: Mr. ZELIFF.
H.R. 2735: Ms. DELAURO.
H.R. 3023: Mr. FAZIO, Mr. EVERETT, Mr. YOUNG of Florida, and Mr. HEFLEY.
H.R. 3080: Mr. SAXTON.
H.R. 3128: Mr. MILLER of California, Mr. SYNAR, Ms. BYRNE, Mr. EVANS, Mr. KLUG, and Ms. FURSE.
H.R. 3203: Mr. HILLIARD, Mr. HUGHES, and Ms. FURSE.
H.R. 3349: Mr. KASICH, Mr. STRICKLAND, Mr. GILLMOR, Mr. HOBSON, Mr. BOEHNER, Ms. PRYCE of Ohio, Mr. FINGERHUT, Mr. PORTMAN, and Mr. REGULA.
H.R. 3367: Mr. ARMEY, Mr. DELAY, Ms. PRYCE of Ohio, Mr. ROYCE, and Mr. EWING.
H.R. 3477: Mr. OBERSTAR.
H.J. Res. 230: Mr. ACKERMAN, Mr. ANDREWS of New Jersey, Mr. BARRETT of Wisconsin, Mr. BLILEY, Mr. BONIOR, Ms. BYRNE, Mr. CALLAHAN, Mr. CARDIN, Mr. CASTLE, Mr. CLEMENT, Mr. WALSH, Mr. MCDERMOTT, Mr. MCNULTY, Mr. INSLEE, Mr. JEFFERSON, Mr. CRAMER, Mr. DEUTSCH, Ms. ESHOO, Mr. EDWARDS of Texas, Mr. ENGEL, Mr. FAZIO, Mr. UNDERWOOD, Mr. FROST, and Mr. ABERCROMBIE.
H.J. Res. 272: Mr. BAESLER, Mrs. MINK, and Mr. MANN.
H.Con. Res. 90: Mr. KLUG.
H.Con. Res. 100: Mr. HAMBURG.
H.Con. Res. 122: Mr. HORN of California, Mr. YATES, and Ms. FURSE.
H.Res. 281: Mr. HUFFINGTON, Mr. MCHUGH, Mr. GILMAN, Mr. CONDIT, Mr. LANCASTER, Ms. CANTWELL, Mr. ROBERTS, Mr. ISTOOK, Mr. POMEROY, Mr. HALL of Ohio, Mr. SHARP, Mr. TEJEDA, Mr. TAYLOR of Mississippi, Mr. BARLOW, Mr. HOUGHTON, Mr. FROST, Mr. DUNCAN, Mr. ROHRABACHER, Mrs. BENTLEY, Mr. GREENWOOD, Mr. MILLER of Florida, Mr. PORTMAN, Mr. SHAYS, Mr. THOMAS of California, Mr. FRANKS of New Jersey, Mr. PENNY, Mr. GUNDERSON, and Mr. ORTIZ.

¶139.44 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3080: Mr. BURTON of Indiana.
H.J. Res. 268: Mr. MANZULLO.

MONDAY, NOVEMBER 22, 1993 (140)

The House was called to order by the SPEAKER.

¶140.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Sunday, November 21, 1993.

Mrs. UNSOELD, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mrs. UNSOELD objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared ....
Yeas 219
Nays 141
Answered present 1

¶140.2 [Roll No. 601]

YEAS—219

Abercrombie	Andrews (ME)	Andrews (TX)
Ackerman	Andrews (NJ)	Applegate
Archer	Gutierrez	Pallone
Bacchus (FL)	Hall (TX)	Pastor
Baesler	Hamburg	Payne (NJ)
Barca	Hamilton	Payne (VA)
Barcia	Harman	Pelosi
Barlow	Hastings	Penny
Barrett (WI)	Hayes	Peterson (FL)
Berman	Hilliard	Pickett
Bevill	Hoagland	Pickle
Bishop	Hochbrueckner	Pombo
Blackwell	Holden	Pomeroy
Bonior	Houghton	Poshard
Borski	Hoyer	Price (NC)
Boucher	Hughes	Rahall
Brooks	Hutto	Reed
Browder	Hyde	Reynolds
Brown (FL)	Inglis	Richardson
Brown (OH)	Inslee	Roemer
Bryant	Johnson (SD)	Rose
Byrne	Johnson, E. B.	Rostenkowski
Cantwell	Johnston	Rowland
Cardin	Kanjorski	Roybal-Allard
Carr	Kasich	Rush
Clayton	Kennedy	Sabo
Clement	Kennelly	Sanders
Clyburn	Kildee	Sarpalius
Coleman	Kingston	Sawyer
Collins (GA)	Klein	Schenk
Collins (IL)	Klink	Schumer
Collins (MI)	Kopetski	Serrano
Combest	Kreidler	Sharp
Condit	Lambert	Shepherd
Cooper	Lancaster	Sisisky
Coppersmith	Lantos	Skaggs
Costello	LaRocco	Skelton
Coyne	Laughlin	Smith (IA)
Cramer	Lehman	Smith (NJ)
Danner	Levin	Spratt
Darden	Lewis (GA)	Stark
de la Garza	Lipinski	Stenholm
Deal	Lloyd	Stokes
DeFazio	Long	Strickland
DeLauro	Lowey	Studds
Dellums	Maloney	Stupak
Derrick	Mann	Swett
Deutsch	Margolies-Mezvinsky	Swift
Dicks	Matsui	Synar
Dingell	Mazzoli	Tanner
Dooley	McCloskey	Tauzin
Durbin	McCurdy	Tejeda
Edwards (CA)	McDermott	Thompson
Edwards (TX)	McHale	Thornton
Eshoo	McKinney	Thurman
Evans	McNulty	Torres
Fazio	Meehan	Torricelli
Fields (LA)	Meek	Towns
Filner	Menendez	Traficant
Fingerhut	Mfume	Tucker
Flake	Mineta	Unsoeld
Foglietta	Minge	Velazquez
Frank (MA)	Mink	Vento
Frost	Montgomery	Visclosky
Furse	Myers	Volkmer
Gejdenson	Natcher	Watt
Gephardt	Neal (MA)	Wheat
Gibbons	Oberstar	Wise
Gillmor	Obey	Woolsey
Glickman	Olver	Wyden
Gonzalez	Ortiz	Wynn
Gordon	Orton	Yates
Green	Owens	
Greenwood		

NAYS—141

Allard	Diaz-Balart	Hefley
Armey	Dickey	Hobson
Bachus (AL)	Dreier	Hoekstra
Baker (LA)	Duncan	Hoke
Ballenger	Dunn	Horn
Barrett (NE)	Emerson	Huffington
Bartlett	Everett	Hutchinson
Bentley	Ewing	Inhofe
Bereuter	Fawell	Istook
Bilirakis	Fowler	Jacobs
Bliley	Franks (CT)	Johnson (CT)
Blute	Franks (NJ)	Johnson (GA)
Boehlert	Gallegly	Johnson, Sam
Boehner	Gallo	Kim
Bonilla	Gekas	King
Burton	Gilchrest	Klug
Buyer	Gingrich	Knollenberg
Callahan	Goodlatte	Kolbe
Calvert	Goodling	Kyl
Camp	Goss	Lazio
Canady	Grams	Leach
Castle	Grandy	Levy
Coble	Gunderson	Lewis (CA)
Cox	Hancock	Lewis (FL)
Crapo	Hansen	Lightfoot
Cunningham	Hastert	Linder

Livingston	Quinn	Smith (MI)
Machtley	Ramstad	Smith (TX)
Manzullo	Ravenel	Snowe
McCandless	Regula	Solomon
McCollum	Ridge	Spence
McHugh	Roberts	Stearns
McInnis	Rogers	Stump
McKeon	Rohrabacher	Talent
McMillan	Ros-Lehtinen	Taylor (MS)
Mica	Roth	Taylor (NC)
Michel	Roukema	Thomas (CA)
Miller (FL)	Royce	Thomas (WY)
Molinari	Santorum	Torkildsen
Moorhead	Saxton	Upton
Nussle	Schiff	Vucanovich
Packard	Schroeder	Walker
Paxon	Sensenbrenner	Walsh
Petri	Shaw	Weldon
Portman	Shays	Young (FL)
Pryce (OH)	Shuster	Zeliff
Quillen	Skeen	Zimmer

ANSWERED ''PRESENT''—1

Murtha

NOT VOTING—72

Baker (CA)	Ford (MI)	Murphy
Barton	Ford (TN)	Nadler
Bateman	Geren	Neal (NC)
Becerra	Gilman	Oxley
Beilenson	Hall (OH)	Parker
Bilbray	Hefner	Peterson (MN)
Brewster	Herger	Porter
Brown (CA)	Hinchey	Rangel
Bunning	Hunter	Sangmeister
Chapman	Jefferson	Schaefer
Clay	Kaptur	Scott
Clinger	Kleczka	Slattery
Conyers	LaFalce	Slaughter
Crane	Manton	Smith (OR)
DeLay	Markey	Sundquist
Dixon	Martinez	Valentine
Doolittle	McCrery	Washington
Dornan	McDade	Waters
Engel	Meyers	Waxman
English (AZ)	Miller (CA)	Whitten
English (OK)	Moakley	Williams
Farr	Mollohan	Wilson
Fields (TX)	Moran	Wolf
Fish	Morella	Young (AK)

So the Journal was approved.

¶140.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 898, An Act to authorize the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs;

H.R. 1237. An Act to establish procedures for national criminal background checks for child care providers;

H.R. 3225. An Act to support the transition to nonracial democracy in South Africa;

H.R. 3378. An Act to amend title 18, United States Code, with respect to parental kidnapping, and for other purposes;

H.R. 3471. An Act to authorize the leasing of naval vessels to certain foreign countries; and

H.J. Res. 159. Joint resolution to designate the month of November in 1993 and 1994 as ''National Hospice Month.''

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2840. An Act to amend title 17, United States Code, to establish copyright arbitration royalty panels to replace the Copyright Royalty Tribunal, and for other purposes.

The message also announced that the Senate agreed to the amendments of the House to the amendment of the Senate to the bill (H.R. 2632) ''An Act to authorize appropriations for the Patent and Trademark Office in the Department of Commerce for fiscal year 1994.''

The message also announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2330) ''An Act to authorize appropriations for fiscal year 1994 for the intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.''

¶140.4 VA HEALTH CARE FOR PERSIAN GULF VETERANS

On motion of Mr. MONTGOMERY, by unanimous consent, the bill (H.R. 2535) to amend title 38, United States Code, to provide additional authority for the Secretary of Veterans Affairs to provide health care for veterans of the Persian Gulf War; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. AUTHORITY TO PROVIDE PRIORITY HEALTH CARE TO VETERANS OF THE PERSIAN GULF WAR.

(a) INPATIENT CARE.—(1) Section 1710(a)(1)(G) of title 38, United States Code, is amended by striking out ''or radiation'' and inserting in lieu thereof '', radiation, or environmental hazard''.

(2) Section 1710(e) of such title is amended—

(A) by inserting at the end of paragraph (1) the following new subparagraph:

''(C) Subject to paragraphs (2) and (3) of this subsection, a veteran who the Secretary finds may have been exposed while serving on active duty in the Southwest Asia theater of operations during the Persian Gulf War to a toxic substance or environmental hazard is eligible for hospital care and nursing home care under subsection (a)(1)(G) of this section for any disability, notwithstanding that there is insufficient medical evidence to conclude that such disability may be associated with such exposure.'';

(B) in paragraph (2), by striking out ''subparagraph (A) or (B)'' and inserting in lieu thereof ''subparagraph (A), (B), or (C)''; and

(C) in paragraph (3), by striking out the period at the end and inserting in lieu thereof '', or, in the case of care for a veteran described in paragraph (1)(C), after December 31, 1994.''.

(b) OUTPATIENT CARE.—Section 1712(a) of such title is amended—

(1) in paragraph (1)—

(A) by striking out ''and'' at the end of subparagraph (B);

(B) by striking out the period at the end of subparagraph (C) and inserting in lieu thereof ''; and''; and

(C) by adding at the end the following:

''(D) during the period before December 31, 1994, for any disability in the case of a veteran who served on active duty in the Southwest Asia theater of operations during the Persian Gulf War and who the Secretary finds may have been exposed to a toxic substance or environmental hazard during such service, notwithstanding that there is insufficient medical evidence to conclude that the disability may be associated with such exposure.''; and

(2) by adding at the end the following new paragraph:

''(7) Medical services may not be furnished under paragraph (1)(D) with respect to a disability that is found, in accordance with guidelines issued by the Under Secretary for Health, to have resulted from a cause other than an exposure described in that paragraph.''.

(c) EFFECTIVE DATE.—(1) The amendments made by subsections (a) and (b) shall take effect as of August 2, 1990.

(2) The Secretary of Veterans Affairs shall, upon request, reimburse any veteran who paid the United States an amount under section 1710(f) or 1712(f) of title 38, United States Code, as the case may be, for hospital care, nursing home care, or outpatient services furnished by the Secretary to the veteran before the date of the enactment of this Act on the basis of a finding that the veteran may have been exposed to a toxic substance or environmental hazard during the Persian Gulf War. The amount of the reimbursement shall be the amount that was paid by the veteran for such care or services under such section 1710(f) or 1712(f).

SEC. 2. EXTENSION OF CERTAIN HEALTH CARE AND OTHER AUTHORITIES.

(a) ELIGIBILITY FOR CARE FOR EXPOSURE TO DIOXIN OR IONIZING RADIATION.—Section 1710(e)(3) of title 38, United States Code, as amended by section 1(a)(2)(C), is further amended by striking out ''December 31, 1993'' and inserting in lieu thereof ''June 30, 1994''.

(b) ELIGIBILITY FOR SEXUAL TRAUMA COUNSELING.—Section 102(b) of the Women Veterans Health Programs Act of 1992 (Public Law 102–585; 38 U.S.C. 1720D note) is amended—

(1) by striking out ''December 31, 1991,'' and inserting in lieu thereof ''December 31, 1922,''; and

(2) by striking out ''December 31, 1993'' and inserting in lieu thereof ''December 31, 1994''.

(c) AUTHORITY TO MAINTAIN REGIONAL OFFICE IN THE PHILIPPINES.—Section 315(b) of title 38, United States Code, is amended by striking out ''March 31, 1994'' and inserting in lieu thereof ''December 31, 1994''.

(d) AUTHORITY FOR ADVISORY COMMITTEE ON EDUCATION.—Section 3692(c) of title 38, United States Code, is amended by striking out ''December 31, 1993'' and inserting in lieu thereof ''December 31, 1994''.

SEC. 3. SHARING OF RESOURCES WITH STATE HOMES.

(a) PURPOSE.—Section 8151 of title 38, United States Code, is amended by adding at the end the following: ''It is further the purpose of this subchapter to improve the provision of care to veterans under this title by authorizing the Secretary to enter into agreements with State veterans facilities for the sharing of health-care resources.''.

(b) DEFINITION.—Section 8152 of such title is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) The term 'health-care resource' includes hospital care, medical services, and rehabilitative services, as those terms are defined in paragraphs (5), (6), and (8), respectively, of section 1701 of this title, any other health-care service, and any health-care support or administrative resource.''.

(c) SHARING OF HEALTH-CARE RESOURCES.—Section 8153(a) of such title is amended—

(1) by inserting ''(1)'' after ''(a)''; and

(2) by striking out ''other form of agreement,'' and all that follows and inserting in lieu thereof the following: ''other form of agreement for the mutual use, or exchange of use, of—

''(A) specialized medical resources between Department health-care facilities and other health-care facilities (including organ banks, blood banks, or similar institutions), research centers, or medical schools; and

''(B) health-care resources between Department health-care facilities and State home

facilities recognized under section 1742(a) of this title.

''(2) The Secretary may enter into a contract or other agreement under paragraph (1) only if (A) such an agreement will obviate the need for a similar resource to be provided in a Department health care facility, or (B) the Department resources which are the subject of the agreement and which have been justified on the basis of veterans' care are not used to their maximum effective capacity.''.

On motion of Mr. MONTGOMERY, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was agreed to, was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶140.5 CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore, Mr. PICKLE, pursuant to House Resolution 319 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3) to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and benefits for congressional election campaigns, and for other purposes.

The SPEAKER pro tempore, Mr. PICKLE, by unanimous consent, designated Mr. OBEY as Chairman of the Committee of the Whole; and after some time spent therein,

¶140.6 CALL IN COMMITTEE

Mr. OBEY, Chairman, announced that the Committee, having had under consideration said bill, finding itself without a quorum, directed the Members to record their presence by electronic device, and the following-named Members responded—

¶140.7 [Roll No. 602]

Abercrombie
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (FL)
Brown (OH)
Bryant
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Clay
Clayton
Clement
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
de Lugo (VI)
Deal
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Faleomavaega (AS)
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Istook
Jacobs
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennelly
Kildee
Kim
King
Kingston
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McHugh
McInnis
McKeon
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (NC)
Norton (DC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Ramstad
Rangel
Ravenel
Reed
Regula
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Romero-Barcelo (PR)
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Waters
Watt
Weldon
Wheat
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

Thereupon, Mr. OBEY, Chairman, announced that 408 Members had been recorded, a quorum.

The Committee resumed its business.

After some further time,

¶140.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. THOMAS of California:

Strike out all after the enacting clause and insert the following:

SECTION 1. BAN ON ACTIVITIES OF POLITICAL ACTION COMMITTEES IN FEDERAL ELECTIONS.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 301 et seq.) is amended by adding at the end the following new section:

''BAN ON FEDERAL ELECTION ACTIVITIES BY POLITICAL ACTION COMMITTEES

''SEC. 323. Notwithstanding any other provision of this Act, no person other than an individual or a political committee may make contributions, solicit or receive contributions, or make expenditures for the purpose of influencing an election for Federal office.''.

(b) DEFINITION OF POLITICAL COMMITTEE.—(1) Section 301(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(4)) is amended to read as follows:

''(4) The term 'political committee' means—

''(A) the principal campaign committee of a candidate;

''(B) any national, State, or district committee of a political party, including any subordinate committee thereof; and

''(C) any local committee of a political party which—

''(i) receives contributions aggregating in excess of $5,000 during a calendar year;

''(ii) makes payments exempted from the definition of contribution or expenditure under paragraph (8) or (9) aggregating in excess of $5,000 during a calendar year; or

''(iii) makes contributions or expenditures aggregating in excess of $1,000 during a calendar year.''.

(2) Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)(2)) is amended by striking out subparagraph (C).

(c) CANDIDATE'S COMMITTEES.—(1) Section 315(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

''(9) For the purposes of the limitations provided by paragraphs (1) and (2), any political committee which is established or financed or maintained or controlled by any candidate or Federal officeholder shall be deemed to be an authorized committee of such candidate or officeholder.''.

(2) Section 302(e)(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(e)(3)) is amended to read as follows:

''(3) No political committee that supports or has supported more than one candidate may be designated as an authorized committee, except that a candidate for the office of President nominated by a political party may designate the national committee of such political party as the candidate's principal campaign committee, but only if that national committee maintains separate books of account with respect to its functions as a principal campaign committee.''.

(d) RULES APPLICABLE WHEN BAN NOT IN EFFECT.—For purposes of the Federal Election Campaign Act of 1971, during any period in which the limitation under section 324 of that Act (as added by subsection (a)) is not in effect—

(1) the amendments made by subsections (a) and (b) shall not be in effect; and

(2) it shall be unlawful—

(A) for any person that is treated as a political committee by reason of paragraph (1) and is directly or indirectly established, administered, or supported by a connected organization which is a corporation, labor organization, or trade association to make contributions to any candidate or the candidate's authorized committee; and

(B) for any person that is treated as a political committee by reason of paragraph (1) and is not directly or indirectly established, administered, or supported by a connected organization which is a corporation, labor organization, or trade association to make contributions to any candidate or the candidate's authorized committee for any election aggregating in excess of $1,000.

SEC. 2. HOUSE OF REPRESENTATIVES ELECTION LIMITATION ON CONTRIBUTIONS FROM PERSONS OTHER THAN LOCAL INDIVIDUAL RESIDENTS.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a), is amended by adding at the end the following new subsection:

''(i)(1) A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress may not, with respect to a reporting period for an election, accept contributions from persons other than local individual residents totaling in excess of the total of contributions accepted from local individual residents.

''(2) As used in this subsection, the term 'local individual resident' means an individual who resides in the congressional district involved.

''(3)(A) Any candidate who accepts contributions that exceed the limitation under this subsection with respect to the pre-election report period or the post-election report period shall pay to the Commission, for deposit in the Treasury, an amount equal to 5 times the amount of the excess contributions plus a civil penalty in an amount determined by the Commission.

''(B) Any candidate who accepts contributions that exceed the limitation under this subsection with respect to a period other than a period referred to in subparagraph (A) shall pay to the Commission, for deposit in the Treasury, an amount equal to 3 times the amount of the excess contributions.

''(C) Each report under section 304(a)(6) shall include a certification by the treasurer of the committee that the contributions reported do not exceed the limitation under this subsection.''.

SEC. 3. BAN ON SOFT MONEY.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by section 1, is further amended by adding at the end the following new section:

''LIMITATIONS AND REPORTING REQUIREMENTS FOR AMOUNTS PAID FOR MIXED POLITICAL ACTIVITIES

''SEC. 324. (a) Any payment by the national committee of a political party or a State committee of a political party for a mixed political activity—

''(1) shall be subject to limitation and reporting under this Act as if such payment were an expenditure; and

''(2) may be paid only from an account that is subject to the requirements of this Act.

''(b) As used in this section, the term 'mixed political activity' means, with respect to a payment by the national committee of a political party or a State committee of a political party, an activity, such as a voter registration program, a get-out-the-vote drive, or general political advertising, that is both (1) for the purpose of influencing an election for Federal office, and (2) for any purpose unrelated to influencing an election for Federal office.''.

(b) REPEAL OF BUILDING FUND EXCEPTION TO THE DEFINITION OF THE TERM ''CONTRIBUTION''.—Section 301(8)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)) is amended—

(1) by striking out clause (viii); and

(2) by redesignating clauses (ix) through (xiv) as clauses (viii) through (xiii), respectively.

SEC. 4. ADDITIONAL POLITICAL PARTY CONTRIBUTIONS TO CHALLENGERS WHOSE INCUMBENT OPPONENTS USE FUNDS CARRIED FORWARD FROM EARLIER ELECTIONS.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a), as amended by section 2, is further amended by adding at the end the following new subsection:

''(j)(1) Subject to paragraph (2), if, in a general election for Federal office, a candidate who is the incumbent uses campaign funds carried forward from an earlier election cycle, any political committee of a political party may make contributions to a nonincumbent candidate of that political party to match the funds so carried forward by the incumbent. For purposes of this paragraph, funds shall be considered to have been carried forward if the funds represent cash on hand as of December 31 of the year of the election, less legitimate outstanding debts relating to the previous election up to the amount of the December 31 balance, plus any amount expended on or before that December 31 for a later election.

''(2) The political party contributions under paragraph (1) may be made without regard to any limitation amount otherwise applicable to such contributions under this section, but a nonincumbent candidate may not accept such contributions in excess of the total of funds carried forward by the incumbent candidate.''.

SEC. 5. ELIMINATION OF LIMITATIONS ON CONTRIBUTIONS TO CANDIDATES WHOSE OPPONENTS USE LARGE AMOUNTS OF PERSONAL FUNDS.

(a) IN GENERAL.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a), as amended by sections 2 and 4, is further amended by adding at the end the following new subsection:

''(k) Each candidate in an election for the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress may declare, in the first report that the candidate files with the Commission after becoming a candidate, that the candidate will not make expenditures of more than $250,000 from the personal funds of the candidate. If a candidate does not so declare and makes expenditures of more than $100,000 from personal funds—

''(1) the limitations under subsections (a)(1)(A) and (i) shall not apply to any opponent of the candidate who so uses personal funds; and

''(2) the limitations under subsection (a)(2)(A) (insofar as such subsection applies to political party multicandidate political committees) shall not apply to contributions to any opponent of the candidate who so uses personal funds, up to the amount of personal funds expended by the noncomplying candidate.''.

(b) NOTIFICATION.—Section 304(a)(6) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(6)) is amended by adding at the end the following new paragraph:

''(C) The principal campaign committee of a candidate shall notify the Commission in writing by telegram, facsimile, or other electronic means of any incremental expenditure of personal funds totaling $50,000 or more. This notification shall be made not later than 24 hours after the expenditure.''.

SEC. 6. LIMITATION ON CONTRIBUTIONS AND EXPENDITURES BY LABOR ORGANIZATIONS.

(a) CONTRIBUTIONS TO ALL POLITICAL COMMITTEES INCLUDED.—Paragraph (2) of section 316(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)(2)) is amended by inserting ''political committee,'' after ''campaign committee,''.

(b) APPLICABILITY OF REQUIREMENTS TO LABOR ORGANIZATIONS.—Section 316(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)) is amended by adding at the end the following new paragraph:

''(8)(A) Subparagraphs (A), (B), and (C) of paragraph (2) shall not apply to a labor organization unless the organization meets the requirements of subparagraphs (B), (C), and (D).

''(B) The requirements of this subparagraph are met only if the labor organization provides, at least once annually, to all employees within the labor organization's bargaining unit or units (and to new employees within 30 days after commencement of their employment) written notification presented in a manner to inform any such employee—

''(i) that an employee cannot be obligated to pay, through union dues or any other mandatory payment to a labor organization, for the political activities of the labor organization, including, but not limited to, the maintenance and operation of, or solicitation of contributions to, a political committee, political communications to members, and voter registration and get-out-the-vote campaigns;

''(ii) that no employee may be required actually to join any labor organization, but if a collective bargaining agreement covering an employee purports to require membership or payment of dues or other fees to a labor organization as a condition of employment, the employee may elect instead to pay an agency fee to the labor organization;

''(iii) that the amount of the agency fee shall be limited to the employee's pro rata share of the cost of the labor organization's exclusive representation services to the employee's collective bargaining unit, including collective bargaining, contract administration, and grievance adjustment;

''(iv) that an employee who elects to be a full member of the labor organization and pay membership dues is entitled to a reduction of those dues by the employee's pro rata share of the total spending by the labor organization for political activities;

''(v) that the cost of the labor organization's exclusive representation services, and the amount of spending by such organization for political activities, shall be computed on the basis of such cost and spending for the immediately preceding fiscal year of such organization; and

''(vi) of the amount of the labor organization's full membership dues, initiation fees, and assessments for the current year; the amount of the reduced membership dues, subtracting the employee's pro rata share of the organization's spending for political activities, for the current year; and the amount of the agency fee for the current year.

''(C) The requirements of this subparagraph are met only if the labor organization provides all represented employees an annual examination by an independent certified public accountant of financial statements supplied by such organization which attests that the expenditures which the union claimed it made for certain expenses were actually made for those expenses. Such examination shall be conducted in accordance with generally accepted auditing standards.

''(D) The requirements of this subparagraph are met only if the labor organization—

''(i) maintains procedures to promptly determine the costs that may properly be charged to agency fee payors as costs of exclusive representation, and explains such procedures in the written notification required under subparagraph (B); and

''(ii) if any person challenges the costs which may be properly charged as costs of exclusive representation—

''(I) provides a mutually selected impartial decisionmaker to hear and decide such challenge pursuant to rules of discovery and evidence and subject to de novo review by the National Labor Relations Board or an applicable court; and

''(II) places in escrow amounts reasonably in dispute pending the outcome of the challenge.

''(E)(i) A labor organization that does not satisfy the requirements of subparagraphs (B), (C), and (D) shall finance any expenditures specified in subparagraphs (A), (B), or (C) of paragraph (2) only with funds legally collected under this Act for its separate segregated fund.

''(ii) For purposes of this paragraph, subparagraph (A) of paragraph (2) shall apply only with respect to communications expressly advocating the election or defeat of any clearly identified candidate for elective public office.''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to contributions and expenditures made after the date of the enactment of this Act.

SEC. 7. INCREASED LIMITATION AMOUNT FOR CERTAIN CONTRIBUTIONS TO POLITICAL COMMITTEES OF STATE POLITICAL PARTIES.

Section 315(a)(1)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)(B)) is amended by inserting after ''national'' the following: ''or State''.

SEC. 8. TRANSITION RULE RELATING TO EXCESS FUNDS OF CANDIDATES FOR THE HOUSE OF REPRESENTATIVES.

The limitations under section 315(i) of the Federal Election Campaign Act of 1971 (as added by section 2) shall be applied to the funds of a candidate carried over from previous elections and shall take effect on the day after the date of the 1994 primary election. A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress, who, on the day after the date of the 1994 primary election, has campaign accounts containing amounts in excess of the contribution limit under section 315(i) of the Federal Election Campaign Act of 1971 shall deposit such excess in a separate account subject to section 304 of the Federal Election Campaign Act of 1971. The amount so deposited shall be returned to contributors or available for any lawful purpose other than use, with respect to the individual for an election for the office of Representative, in, or Delegate or Resident Commissioner to, the Congress. For purposes of this section, excess funds are those funds which exceed twice the amount of funds raised from local individual residents after December 31, 1992. From the day after the date of the 1994 primary election until the date of the 1994 general election, a candidate may transfer excess funds from the separate account to the campaign account so long as a majority of the total funds contributed or transferred to the campaign account were raised from local individual residents after December 31, 1992. No funds may be transferred from a separate account of a candidate to a campaign account of the candidate after the date of the 1994 general election.

SEC. 9. DISCLOSURE OF ELECTION-RELATED ACTIVITY BY CORPORATIONS, LABOR ORGANIZATIONS AND NONPROFIT ORGANIZATIONS.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(d) Any corporation, labor organization, or nonprofit organization that makes a payment for a communication or other activity that—

''(1) relates to any election for Federal office; and

''(2) in the case of a corporation or labor organization, by reason of subparagraph (A) or (B) of paragraph (2) of section 316(b), is not a contribution or expenditure;

shall report such payment to the Commission in the same manner as a contribution or expenditure, as the case may be, is reported by a principal campaign committee of a candidate for the House of Representatives or the Senate under this section.''.

SEC. 10. PROHIBITION OF BUNDLING OF CONTRIBUTIONS TO CANDIDATES BY POLITICAL ACTION COMMITTEES AND LOBBYISTS.

Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding at the end the following new subsection:

''(c) No nonparty multicandidate political committee or person required to register under the Federal Regulation of Lobbying Act (2 U.S.C. 261 et seq.) may act as an intermediary or conduit with respect to a contribution to a candidate for Federal office.''.

SEC. 11. PROHIBITION OF TRANSFERS AMONG NONCANDIDATE, NONPARTY POLITICAL COMMITTEES.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a), as amended by sections 2, 4, and 5, is further amended by adding at the end the following new subsection:

''(l) A noncandidate, nonparty political committee may not make contributions, or otherwise transfer funds, to any other noncandidate, nonparty political committee. As used in this subsection, the term 'noncandidate, nonparty political committee' means a political committee that is not an authorized committee of a candidate for Federal office and is not a political committee of a political party.''.

SEC. 12. PROHIBITION OF LEADERSHIP COMMITTEES; RESTRICTION ON CONTRIBUTIONS BETWEEN PRINCIPAL CAMPAIGN COMMITTEES.

(a) LEADERSHIP COMMITTEE PROHIBITION.—Section 302 of the Federal Election Campaign Act of 1971 (2 U.S.C. 432) is amended by adding at the end the following new subsection:

''(j) A candidate for Federal office may not establish, maintain, finance, or control a political committee, other than the principal campaign committee of the candidate.''.

(b) PRINCIPAL CAMPAIGN COMMITTEE RESTRICTION.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a), as amended by sections 2, 4, 5, and 11, is further amended by adding at the end the following new subsection:

''(m) A principal campaign committee of a candidate for Federal office may not make any contribution to any other principal campaign committee (other than the principal campaign committee of the same individual as a candidate for another Federal office).''.

SEC. 13. EFFECTIVE DATE.

The amendments made by this Act shall take effect on the date of the enactment of this Act.

It was decided in the negative ..... { Yeas ..... 173 / Nays 263

¶140.9 [Roll No. 603]

AYES—173

Allard	Armey	Baker (CA)
Archer	Bachus (AL)	Ballenger
Barrett (NE)	Hansen	Paxon
Bartlett	Hastert	Petri
Barton	Hayes	Pombo
Bereuter	Herger	Porter
Bilirakis	Hobson	Portman
Bliley	Hoekstra	Poshard
Blute	Hoke	Pryce (OH)
Boehner	Horn	Quillen
Bunning	Houghton	Quinn
Burton	Huffington	Ramstad
Callahan	Hunter	Ravenel
Calvert	Hutchinson	Regula
Camp	Hyde	Ridge
Canady	Inglis	Roberts
Castle	Inhofe	Rogers
Coble	Istook	Rohrabacher
Collins (GA)	Johnson (CT)	Ros-Lehtinen
Combest	Johnson, Sam	Roth
Cooper	Kasich	Roukema
Costello	Kim	Royce
Cox	King	Santorum
Crane	Kingston	Saxton
Crapo	Knollenberg	Schaefer
Cunningham	Kolbe	Schiff
Deal	Kyl	Sensenbrenner
DeLay	Lazio	Shaw
Diaz-Balart	Leach	Shays
Dickey	Levy	Shuster
Doolittle	Lewis (CA)	Skeen
Dornan	Lewis (FL)	Smith (MI)
Dreier	Lightfoot	Smith (NJ)
Duncan	Linder	Smith (OR)
Dunn	Livingston	Smith (TX)
Everett	Machtley	Solomon
Ewing	Margolies-Mezvinsky	Spence
Fawell	McCandless	Stearns
Fields (TX)	McCollum	Stenholm
Fish	McCrery	Stump
Franks (CT)	McDade	Sundquist
Franks (NJ)	McHugh	Talent
Gallegly	McInnis	Tauzin
Gallo	McKeon	Taylor (MS)
Gekas	McMillan	Taylor (NC)
Gilchrest	Meyers	Thomas (CA)
Gillmor	Mica	Thomas (WY)
Gilman	Michel	Torkildsen
Gingrich	Miller (FL)	Upton
Goodlatte	Minge	Vucanovich
Goodling	Molinari	Walker
Goss	Moorhead	Walsh
Grams	Morella	Weldon
Grandy	Myers	Wolf
Greenwood	Nussle	Young (AK)
Gunderson	Oxley	Young (FL)
Hall (TX)	Packard	Zeliff
Hancock		Zimmer

NOES—263

Abercrombie	Clement	Ford (TN)
Ackerman	Clyburn	Fowler
Andrews (ME)	Coleman	Frank (MA)
Andrews (NJ)	Collins (IL)	Frost
Andrews (TX)	Collins (MI)	Furse
Applegate	Condit	Gejdenson
Bacchus (FL)	Conyers	Gephardt
Baesler	Coppersmith	Geren
Baker (LA)	Coyne	Gibbons
Barca	Cramer	Glickman
Barcia	Danner	Gonzalez
Barlow	Darden	Gordon
Barrett (WI)	de la Garza	Green
Bateman	de Lugo (VI)	Gutierrez
Becerra	DeFazio	Hamburg
Beilenson	DeLauro	Hamilton
Bentley	Dellums	Harman
Berman	Derrick	Hastings
Bevill	Deutsch	Hefley
Bilbray	Dicks	Hefner
Bishop	Dingell	Hilliard
Blackwell	Dixon	Hinchey
Boehlert	Dooley	Hoagland
Bonilla	Durbin	Hochbrueckner
Bonior	Edwards (CA)	Holden
Borski	Edwards (TX)	Hoyer
Boucher	Emerson	Hughes
Brewster	Engel	Hutto
Brooks	English (AZ)	Inslee
Browder	English (OK)	Jacobs
Brown (CA)	Eshoo	Jefferson
Brown (FL)	Evans	Johnson (GA)
Brown (OH)	Faleomavaega (AS)	Johnson (SD)
Bryant	Farr	Johnson, E. B.
Buyer	Fazio	Johnston
Byrne	Fields (LA)	Kanjorski
Cantwell	Filner	Kaptur
Cardin	Fingerhut	Kennedy
Carr	Flake	Kennelly
Chapman	Foglietta	Kildee
Clay	Ford (MI)	Kleczka
Clayton		Klein

Klink	Neal (NC)	Skaggs
Klug	Norton (DC)	Skelton
Kopetski	Oberstar	Slattery
Kreidler	Obey	Slaughter
LaFalce	Olver	Smith (IA)
Lambert	Ortiz	Snowe
Lancaster	Orton	Spratt
Lantos	Owens	Stark
LaRocco	Pallone	Stokes
Laughlin	Parker	Strickland
Lehman	Pastor	Studds
Levin	Payne (NJ)	Stupak
Lewis (GA)	Payne (VA)	Swett
Lipinski	Pelosi	Swift
Lloyd	Penny	Synar
Long	Peterson (FL)	Tanner
Lowey	Peterson (MN)	Tejeda
Maloney	Pickett	Thompson
Mann	Pickle	Thornton
Manton	Pomeroy	Thurman
Manzullo	Price (NC)	Torres
Markey	Rahall	Torricelli
Martinez	Rangel	Towns
Matsui	Reed	Traficant
Mazzoli	Reynolds	Tucker
McCloskey	Richardson	Underwood (GU)
McCurdy	Roemer	Unsoeld
McDermott	Romero-Barcelo (PR)	Valentine
McHale	Rose	Velazquez
McKinney	Rostenkowski	Vento
McNulty	Rowland	Visclosky
Meehan	Roybal-Allard	Volkmer
Meek	Rush	Washington
Menendez	Sabo	Waters
Mfume	Sanders	Watt
Miller (CA)	Sangmeister	Waxman
Mineta	Sarpalius	Wheat
Mink	Sawyer	Whitten
Moakley	Schenk	Williams
Mollohan	Schroeder	Wilson
Montgomery	Schumer	Wise
Moran	Scott	Woolsey
Murphy	Serrano	Wyden
Murtha	Sharp	Wynn
Nadler	Shepherd	Yates
Natcher	Sisisky	
Neal (MA)		

NOT VOTING—2

Clinger	Hall (OH)

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. BEILENSON, assumed the Chair.

When Mr. OBEY, Chairman, pursuant to House Resolution 319, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''House of Representatives Campaign Spending Limit and Election Reform Act of 1993''.

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—[Reserved]

Subtitle B—Expenditure Limitations, Contribution Limitations, and Voter Communication Vouchers for Eligible House of Representatives Candidates

Sec. 121. Provisions applicable to eligible House of Representatives candidates.

Sec. 122. Registration as eligible House of Representatives candidate.

Sec. 123. Definitions.

TITLE II—LIMITATIONS ON POLITICAL COMMITTEE AND LARGE DONOR CONTRIBUTIONS THAT MAY BE ACCEPTED BY HOUSE OF REPRESENTATIVES CANDIDATES

Sec. 201. Limitations on political committee and large donor contributions that may be accepted by House of Representatives candidates.

TITLE III—INDEPENDENT EXPENDITURES

Sec. 301. Clarification of definitions relating to independent expenditures.

Sec. 302. Reporting requirements for certain independent expenditures.

Sec. 303. Broadcast and cable independent expenditure communications against eligible House of Representatives candidates.

TITLE IV—CONTRIBUTIONS AND EXPENDITURES BY POLITICAL PARTY COMMITTEES

Sec. 401. Definitions.

Sec. 402. Contributions to political party committees.

Sec. 403. Provisions relating to national, State, and local party committees.

Sec. 404. Reporting requirements.

Sec. 405. Restrictions on fundraising by candidates and officeholders.

Sec. 406. Increase in authorized political committee contributions to congressional campaign committees.

Sec. 407. Increase in the amount that multicandidate political committees may contribute to national political party committees.

Sec. 408. Merchandising and affinity cards.

Sec. 409. Increased limitation amount for certain contributions to political committees of State political parties.

TITLE V—CONTRIBUTIONS

Sec. 501. Restrictions on bundling.

Sec. 502. Contributions by dependents not of voting age.

Sec. 503. Prohibition of acceptance by a candidate of cash contributions from any one person aggregating more than $100.

Sec. 504. Contributions to candidates from State and local committees of political parties to be aggregated.

Sec. 505. Prohibition of false representation to solicit contributions.

Sec. 506. Limited exclusion of advances by campaign workers from the definition of the term ''contribution''.

Sec. 507. Amendment to section 316 of the Federal Election Campaign Act of 1971.

Sec. 508. Prohibition of certain election-related activities of foreign nationals.

TITLE VI—REPORTING REQUIREMENTS

Sec. 601. Change in certain reporting from a calendar year basis to an election cycle basis.

Sec. 602. Personal and consulting services.

Sec. 603. Reduction in threshold for reporting of certain information by persons other than political committees.

Sec. 604. Computerized indices of contributions.

Sec. 605. Identification.

Sec. 606. Political committees.

Sec. 607. Use of candidates' names.

Sec. 608. Reporting requirements.

Sec. 609. Simultaneous registration of candidate and candidate's principal campaign committee.

TITLE VII—FEDERAL ELECTION COMMISSION

Sec. 701. Appearance as amici curiae.

Sec. 702. Federal Election Commission public service announcements.

Sec. 703. Authority to seek injunction.

Sec. 704. Expedited procedures.

Sec. 705. Insolvent political committees.

TITLE VIII—BALLOT INITIATIVE COMMITTEES

Sec. 801. Definitions relating to ballot initiatives.

Sec. 802. Amendment to definition of contribution.

Sec. 803. Amendment to definition of expenditure.

Sec. 804. Organization of ballot initiative committees.

Sec. 805. Registration of ballot initiative committees.

Sec. 806. Reporting by ballot initiative committees.

Sec. 807. Enforcement for ballot initiative committees.

Sec. 808. Prohibition on contributions and expenditures by ballot initiative committees.

TITLE IX—MISCELLANEOUS

Sec. 901. Broadcast rates and preemption.

Sec. 902. Campaign advertising amendments.

Sec. 903. Telephone voting by persons with disabilities.

Sec. 904. Transfer of presidential election financing provisions to Federal Election Campaign Act of 1971.

TITLE X—HOUSE OF REPRESENTATIVES CAMPAIGN ELECTION FUNDING AND RELATED MATTERS

Sec. 1001. Make Democracy Work Election Fund.

TITLE XI—EFFECTIVE DATES; SEVERABILITY

Sec. 1101. Effective date.

Sec. 1102. Severability.

Sec. 1103. Expedited review of constitutional issues.

Sec. 1104. Regulations.

Sec. 1105. Budget neutrality.

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—[Reserved]

Subtitle B—Expenditure Limitations, Contribution Limitations, and Voter Communication Vouchers for Eligible House of Representatives Candidates

SEC. 121. PROVISIONS APPLICABLE TO ELIGIBLE HOUSE OF REPRESENTATIVES CANDIDATES.

(a) IN GENERAL.—The Federal Election Campaign Act of 1971 is amended by adding at the end the following new title:

''TITLE VI—EXPENDITURE LIMITATIONS, CONTRIBUTION LIMITATIONS, AND VOTER COMMUNICATION VOUCHERS FOR ELIGIBLE HOUSE OF REPRESENTATIVES CANDIDATES

''SEC. 601. EXPENDITURE LIMITATIONS.

''(a) IN GENERAL.—An eligible House of Representatives candidate may not, in an election cycle, make expenditures aggregating more than $600,000.

''(b) RUNOFF ELECTION AND SPECIAL ELECTION AMOUNTS.—

''(1) RUNOFF ELECTION AMOUNT.—If an eligible House of Representatives candidate is a candidate in a runoff election, the candidate may make additional expenditures aggregating not more than $200,000 in the election cycle.

''(2) SPECIAL ELECTION AMOUNT.—An eligible House of Representatives candidate who is a candidate in a special election may make expenditures aggregating not more than $600,000 with respect to the special election.

''(c) CLOSELY CONTESTED PRIMARY.—If, as determined by the Commission, an eligible House of Representatives candidate in a contested primary election wins that primary election by a margin of 20 percentage points or less, the candidate may make additional expenditures aggregating not more than $200,000 in the election cycle.

''(d) NONPARTICIPATING OPPONENT PROVISIONS.—

''(1) LIMITATION EXCEPTION.—The limitations imposed by subsections (a) and (b) do not apply in the case of an eligible House of Representatives candidate if any other general election candidate seeking nomination or election to that office—

''(A) is not an eligible House of Representatives candidate; and

''(B) receives contributions or makes expenditures in excess of 25 percent of the limitation under subsection (a).

''(2) CONTINUED ELIGIBILITY AND ADDITIONAL MATCHING FUNDS.—An eligible House of Representatives candidate referred to in paragraph (1)—

''(A) shall continue to be eligible for all benefits under this title; and

''(B) shall receive voter communication vouchers under section 604.

''(3) REPORTING REQUIREMENT.—A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress—

''(A) who is not an eligible House of Representatives candidate; and

''(B) who makes contributions in excess of $50,000 of personal funds of the candidate and members of the candidate's immediate family to the authorized committee of the candidate or receives contributions or makes expenditures in excess of 25 percent of the limitation under subsection (a);

shall report that the threshold has been reached to the Clerk of the House of Representatives not later than 48 hours after reaching the threshold. The Clerk shall transmit a report received under this paragraph to the Commission as soon as possible (but no later than 4 working hours of the Commission) after such receipt, and the Commission shall transmit a copy to each other candidate for election to the same office within 48 hours of receipt.

''(e) EXEMPTION FOR LEGAL COSTS AND TAXES.—Any costs incurred by an eligible House of Representatives candidate or his or her authorized committee, or a Federal officeholder, for legal services or Federal, State, or local income and payroll taxes with respect to a candidate's authorized committees, or to comply with section 606, shall not be considered in the computation of amounts subject to limitation under this section.

''(f) EXEMPTION FOR ACCOUNTING OR FUNDRAISING COSTS.—

''(1) Any costs incurred by an eligible House of Representatives candidate or his or her authorized committee in connection with the solicitation of contributions on behalf of such candidate or for accounting services to ensure compliance with this Act shall not be considered in the computation of amounts subject to limitation under subsection (a) to the extent that the aggregate of such costs does not exceed 10 percent of the limitation under subsection (a).

''(2) An amount equal to 10 percent of salaries and overhead expenditures of an eligible House of Representatives candidate's campaign headquarters and offices shall not be considered in the computation of amounts subject to limitation under this section. Any amount excluded under this paragraph shall be applied against the accounting or fundraising expenditure exemption under paragraph (1).

''(g) CIVIL PENALTIES.—

''(1) LOW AMOUNT OF EXCESS EXPENDITURES.—Any eligible House of Representatives candidate who makes expenditures that exceed a limitation under subsection (a) or subsection (b) by 2.5 percent or less shall pay to the Commission an amount equal to the amount of the excess expenditures.

''(2) MEDIUM AMOUNT OF EXCESS EXPENDITURES.—Any eligible House of Representatives candidate who makes expenditures that exceed a limitation under subsection (a) or subsection (b) by more than 2.5 percent and less than 5 percent shall pay to the Commission an amount equal to three times the amount of the excess expenditures.

''(3) LARGE AMOUNT OF EXCESS EXPENDITURES.—Any eligible House of Representatives candidate who makes expenditures that exceed a limitation under subsection (a) or subsection (b) by 5 percent or more shall pay to the Commission an amount equal to three times the amount of the excess expenditures plus a civil penalty in an amount determined by the Commission.

''(h) INDEXING.—The dollar amounts specified in subsections (a), (b), and (c) shall be adjusted at the beginning of each calendar year based on the increase in the price index determined under section 315(c), except that, for the purposes of such adjustment, the base period shall be calendar year 1992.

''(i) The limitations of this section do not apply in the case of any recall action held pursuant to State law.

"SEC. 602. CONTRIBUTION LIMITATIONS.

''(a) PERSONAL CONTRIBUTIONS.—An eligible House of Representatives candidate may not, with respect to an election cycle, make contributions or loans to his or her own campaign totaling more than $50,000 from the personal funds of the candidate. The amount that the candidate may accept from persons referred to in section 315(i)(2) shall be reduced by the amount of contributions made under the preceding sentence. Contributions from the personal funds of a candidate may not be matched under section 604.

''(b) LIMITATION EXCEPTION.—The limitation imposed by subsection (a) does not apply in the case of an eligible House of Representatives candidate if any other candidate for that office—

''(1) is not an eligible House of Representatives general election candidate; and

''(2) makes contributions or loans to his or her own campaign totaling more than $50,000 from his or her own personal funds.

"SEC. 603. DECLARATION OF PARTICIPATION; CONTINUING ELIGIBILITY.

''The Commission shall determine whether a candidate is eligible under this title and, by reason of such eligibility may receive benefits under this title. Such determination shall—

''(1) in the case of an initial determination, be based on a declaration of participation submitted by the candidate; and

''(2) in the case of a determination of continuing eligibility, be based on relevant additional information submitted in such form and manner as the Commission may require.

"SEC. 604. VOTER COMMUNICATION VOUCHERS.

''(a) IN GENERAL.—An eligible House of Representatives candidate shall be entitled to receive, with respect to the general election, an amount of voter communication vouchers equal to the amount of contributions from individuals received by the candidate, but not more than $200,000, with not more than $200 to be taken into account per individual.

''(b) SPECIFIC REQUIREMENTS.—A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress may receive voter communication vouchers under subsection (a) only if the candidate—

''(1) in an election cycle, has received 10 percent of the limit specified in section 601(a) in contributions from individuals, with not more than $200 to be taken into account per individual;

''(2) qualifies for the general election ballot;

''(3) has an opponent on the general election ballot; and

''(4) files a declaration of participation in which the candidate agrees to—

''(A) comply with the limitations under sections 601 and 315(i);

''(B) cooperate in the case of any audit by the Commission by furnishing such campaign records and other information as the Commission may require; and

''(C) comply with any repayment requirement under section 606.

''(c) WRITTEN INSTRUMENT REQUIREMENT.—No contribution in any form other than a gift of money made by a written instrument or a certification by the committee making the request that identifies the individual making the contribution by full name and address may be used as a basis for any matching payment under this section.

''(d) CERTIFICATION AND PAYMENT.—

''(1) CERTIFICATION.—Except as provided in paragraphs (2), (3), and (4) not later than 5 days after receiving a request for payment, the Commission shall certify for payment the amount requested under this section. The request by an eligible candidate to receive voter communications vouchers under this section shall contain—

''(A) such information and be made in accordance with such procedures as the Commission may provide by regulation; and

''(B) a verification signed by the candidate and the treasurer of the principal campaign committee of such candidate stating that the information furnished in support of the request, to the best of their knowledge, is correct and fully satisfies the requirements of this title.

''(2) PAYMENTS.—The initial payment of voter communication vouchers under subsection (a) to an eligible candidate shall be an amount equal to at least 10 percent of the limit specified in section 601(a). All payments shall be—

''(A) made not later than 48 hours after certification under paragraph (1); and

''(B) subject to proportional reduction in the case of insufficient funds.

''(3) PARTIAL CERTIFICATION.—If the Commission determines that any portion of a request does not meet the requirements for certification, the Commission shall withhold the certification for that portion only and inform the candidate as to how the candidate may correct the request.

''(4) CERTIFICATION WITHHELD.—The Commission may withhold certification if it determines that a candidate who is otherwise eligible has engaged in a pattern of activity indicating that the promises in the candidate's statement of participation cannot be relied upon.

''(e) CLOSELY CONTESTED PRIMARY.—If, as determined by the Commission, an eligible House of Representatives candidate in a contested primary election wins that primary election by a margin of 20 percentage points or less, the candidate shall be eligible to receive matching vouchers totaling not more than $66,600, in addition to any other amount received under this section. The amount available under the preceding sentence is subject to the matching requirements of this section.

''(f) INDEPENDENT EXPENDITURE PROVISION.—If, with respect to a general election involving an eligible House of Representatives candidate, independent expenditures totaling $10,000 are made against the eligible House of Representatives candidate or in favor of another candidate, the eligible House of Representatives candidate shall be entitled, in addition to any amount received under subsection (a), to voter communica-

tion vouchers equal to the amount of such independent expenditures, and expenditures may be made from such vouchers without regard to the limitations in section 601.

''(g) PROHIBITION OF CONVERSION TO PERSONAL USE.—An eligible candidate who receives voter communication vouchers under this section may not convert any amount to personal use or make any payments, directly or indirectly, to such candidate or to any members of the immediate family of the candidate.

''(h) INDEXING.—The dollar amount specified in subsections (a) and (e) (other than the amount taken into account per individual) shall be adjusted at the beginning of the calendar year based on the increase in the price index determined under section 315(c), except that, for the purposes of such adjustment, the base period shall be calendar year 1992.

''(i) USE OF VOTER COMMUNICATION VOUCHERS.—Voter communication vouchers shall be used by an eligible House of Representatives candidate—

''(1) to purchase broadcast time during the general election period in the same manner as other broadcast time may be purchased by the candidate;

''(2) to purchase print advertisements during the general election period;

''(3) to purchase voter contact campaign materials (brochures, bumper stickers, handbills, pins, posters, and yard signs) used during the general election period; or

''(4) to pay for postage expenses incurred during the general election period.

''(j) UNEXPENDED VOUCHERS.—Any amount of voter communication vouchers received by an eligible House candidate under this title and not expended on or before the date of the general election shall be repaid within 60 days of the election, except that a reasonable amount may be retained for a period not exceeding 120 days after the date of the general election for the liquidation of obligations to pay expenditures for the general election incurred during the general election period. At the end of the 120-day period, any unexpended vouchers received under this title shall be promptly repaid.

''SEC. 605. CLOSED CAPTIONING REQUIREMENT FOR TELEVISION COMMERCIALS OF ELIGIBLE HOUSE OF REPRESENTATIVES CANDIDATES.

''No eligible House of Representatives candidate may receive amounts under section 604 unless such candidate has certified to the Federal Election Commission that any television commercial prepared or distributed by the candidate will be prepared in a manner that contains, is accompanied by, or otherwise readily permits closed captioning of the oral content of the commercial to be broadcast by way of line 21 of the vertical blanking interval, or by way of comparable successor technologies.

''SEC. 606. EXAMINATION AND AUDITS; REPAYMENTS.

''(a) GENERAL ELECTION.—After each general election, the Commission shall conduct an examination and audit of the campaign accounts of 5 percent of the eligible House of Representatives candidates, as designated by the Commission through the use of an appropriate statistical method of random selection, to determine whether such candidates have complied with the conditions of eligibility and other requirements of this title. No other factors shall be considered in carrying out such an examination and audit. The Commission shall conduct an examination and audit of the accounts of all candidates from a congressional district where any eligible candidate is selected for examination and audit.

''(b) SPECIAL ELECTION.—After each special election, the Commission shall conduct an examination and audit of the campaign accounts of all eligible candidates in the election to determine whether the candidates have complied with the conditions of eligibility and other requirements of this title.

''(c) AFFIRMATIVE VOTE.—The Commission may conduct an examination and audit of the campaign accounts of any eligible House of Representatives candidate in a general election if the Commission, by an affirmative vote of 4 members, determines that there exists reason to believe whether such candidate may have violated any provision of this title.

''(d) PAYMENTS.—If the Commission determines that any amount of a payment to a candidate under this title was in excess of the aggregate payments to which such candidate was entitled, the Commission shall so notify the candidate, and the candidate shall pay an amount equal to the excess.

''SEC. 607. JUDICIAL REVIEW.

''(a) JUDICIAL REVIEW.—Any agency action by the Commission made under the provisions of this title shall be subject to review by the United States Court of Appeals for the District of Columbia Circuit upon petition filed in such court within 30 days after the agency action by the Commission for which review is sought. It shall be the duty of the Court of Appeals, ahead of all matters not filed under this title, to advance on the docket and expeditiously take action on all petitions filed pursuant to this title.

''(b) APPLICATION OF TITLE 5.—The provisions of chapter 7 of title 5, United States Code, shall apply to judicial review of any agency action by the Commission.

''(c) AGENCY ACTION.—For purposes of this section, the term 'agency action' has the meaning given such term by section 551(13) of title 5, United States Code.

''SEC. 608. PARTICIPATION BY COMMISSION IN JUDICIAL PROCEEDINGS.

''(a) APPEARANCES.—The Commission is authorized to appear in and defend against any action instituted under this section and under section 607 either by attorneys employed in its office or by counsel whom it may appoint without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and whose compensation it may fix without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title.

''(b) INSTITUTION OF ACTIONS.—The Commission is authorized, through attorneys and counsel described in subsection (a), to institute actions in the district courts of the United States to seek recovery of any amounts determined under this title to be payable to the Secretary.

''(c) INJUNCTIVE RELIEF.—The Commission is authorized, through attorneys and counsel described in subsection (a), to petition the courts of the United States for such injunctive relief as is appropriate in order to implement any provision of this title.

''(d) APPEALS.—The Commission is authorized on behalf of the United States to appeal from, and to petition the Supreme Court for certiorari to review, judgments or decrees entered with respect to actions in which it appears pursuant to the authority provided in this section.

''SEC. 609. REPORTS TO CONGRESS; CERTIFICATIONS; REGULATIONS.

''(a) REPORTS.—The Commission shall, as soon as practicable after each election, submit a full report to the House of Representatives setting forth—

''(1) the expenditures (shown in such detail as the Commission determines appropriate) made by each eligible candidate and the authorized committees of such candidate;

''(2) the aggregate amount of voter communication vouchers certified by the Commission under section 604 for each eligible candidate; and

''(3) the amount of repayments, if any, required under section 606, and the reasons for each repayment required.

Each report submitted pursuant to this section shall be printed as a House document.

''(b) DETERMINATIONS BY COMMISSION.—All determinations (including certifications under section 604) made by the Commission under this title shall be final and conclusive, except to the extent that they are subject to examination and audit by the Commission under section 606 or judicial review under section 607.

''(c) RULES AND REGULATIONS.—The Commission is authorized to prescribe such rules and regulations, in accordance with the provisions of subsection (d), to conduct such audits, examinations and investigations, and to require the keeping and submission of such books, records, and information, as it deems necessary to carry out the functions and duties imposed on it by this title.

''(d) REPORT OF PROPOSED REGULATIONS.—The Commission shall submit to the House of Representatives a report containing a detailed explanation and justification of each rule, regulation, and form of the Commission under this title. No such rule, regulation, or form may take effect until a period of 30 legislative days has elapsed after the report is received. As used in this subsection—

''(1) the term 'legislative day' means any calendar day on which the House of Representatives is in session; and

''(2) the terms 'rule' and 'regulation' mean a provision or series of interrelated provisions stating a single, separable rule of law.''.

(b) REPORT ON USING VOTER COMMUNICATION VOUCHERS FOR PRIMARY ELECTIONS.—The Commission shall submit to the House of Representatives, not later than January 1, 1997, a report containing an evaluation for expanding the use of voter communication vouchers in primary elections for eligible candidates to the House of Representatives for the election year 2000 and thereafter. The report shall include a detailed cost estimate for such expansion and options for financing the use of Voter Communication Vouchers in primary elections.

SEC. 122. REGISTRATION AS ELIGIBLE HOUSE OF REPRESENTATIVES CANDIDATE.

(a) IN GENERAL.—Section 302(e) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(e)) is amended by adding at the end the following new paragraph:

''(6)(A) In the case of a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress, who desires to be an eligible House of Representatives candidate, a declaration of participation of the candidate to abide by the limits specified in sections 601 and 315(i) and provide the information required under section 604(b)(4) shall be included in the designation required to be filed under paragraph (1).

''(B)(i) In the case of a candidate referred to in subparagraph (A), if the statement of candidacy does not include a declaration referred to in that paragraph, the candidate may amend the statement to include such declaration, if such amendment is filed under subsection (g) not later than 7 days after the earlier of—

''(I) the date the candidate qualifies for the general election ballot under State law; or

''(II) if, under State law, a primary or runoff election to qualify for the general election ballot occurs after September 1, the date the candidate wins the primary or runoff election.

''(ii) A declaration of participation that is included in a statement of candidacy or has been added by amendment under subparagraph (B) may not thereafter be revoked.''.

SEC. 123. DEFINITIONS.

Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by striking paragraph (19) and inserting the following new paragraphs:

''(19) The term 'general election' means any election which will directly result in the election of a person to a Federal office, but does not include an open primary election.

''(20) The term 'general election period' means, with respect to any candidate, the period beginning on the day after the date of the primary or runoff election for the specific office the candidate is seeking, whichever is later, and ending on the earlier of—

''(A) the date of such general election; or

''(B) the date on which the candidate withdraws from the campaign or otherwise ceases actively to seek election.

''(21) The term 'immediate family' means—

''(A) a candidate's spouse;

''(B) a child, stepchild, parent, grandparent, brother, step-brother, sister or step-sister of the candidate or the candidate's spouse; and

''(C) the spouse of any person described in subparagraph (B).

''(22) The term 'primary election' means an election which may result in the selection of a candidate for the ballot in a general election for a Federal office.

''(23) The term 'primary election period' means, with respect to any candidate, the period beginning on the day following the date of the last election for the specific office the candidate is seeking and ending on the earlier of—

''(A) the date of the first primary election for that office following the last general election for that office; or

''(B) the date on which the candidate withdraws from the election or otherwise ceases actively to seek election.

''(24) The term 'runoff election' means an election held after a primary election which is prescribed by applicable State law as the means for deciding which candidate will be on the ballot in the general election for a Federal office.

''(25) The term 'runoff election period' means, with respect to any candidate, the period beginning on the day following the date of the last primary election for the specific office such candidate is seeking and ending on the date of the runoff election for such office.

''(26) The term 'voting age population' means the resident population, 18 years of age or older, as certified pursuant to section 315(e).

''(27) The term 'eligible House of Representatives candidate' means a candidate for election to the office of Representative in, or Delegate or Resident Commissioner to, the Congress, who, as determined by the Commission under section 603, is eligible to receive matching vouchers and other benefits under title VI by reason of filing a declaration of participation under section 302(e) and complying with the continuing eligibility requirements under section 603.

''(28) The term 'election cycle' means—

''(A) in the case of a candidate or the authorized committees of a candidate, the term beginning on the day after the date of the most recent general election for the specific office or seat which such candidate seeks and ending on the date of the next general election for such office or seat; or

''(B) for all other persons, the term beginning on the first day following the date of the last general election and ending on the date of the next general election.''.

TITLE II—LIMITATIONS ON POLITICAL COMMITTEE AND LARGE DONOR CONTRIBUTIONS THAT MAY BE ACCEPTED BY HOUSE OF REPRESENTATIVES CANDIDATES

SEC. 201. LIMITATIONS ON POLITICAL COMMITTEE AND LARGE DONOR CONTRIBUTIONS THAT MAY BE ACCEPTED BY HOUSE OF REPRESENTATIVES CANDIDATES.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsections:

''(i)(1) A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress may not, with respect to an election cycle, accept contributions from political committees aggregating in excess of $200,000.

''(2) A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress may not, with respect to an election cycle, accept contributions aggregating in excess of $200,000 from persons other than political committees whose contributions total more than $200.

''(3) In addition to the contributions under paragraphs (1) and (2), if an eligible House of Representatives candidate in a contested primary election wins that primary election by a margin of 20 percentage points or less, the candidate may accept contributions of—

''(A) not more than $66,600 from political committees; and

''(B) not more than $66,600 from persons referred to in paragraph (2).

''(4) In addition to the contributions under paragraphs (1) and (2), a House of Representatives candidate who is a candidate in a runoff election may accept contributions of (A) not more than $100,000 from political committees; and (B) not more than $100,000 from persons referred to in paragraph (2).

''(j) NONPARTICIPATING OPPONENT PROVISIONS.—The limitations imposed by section 315(i) do not apply in the case of an eligible House of Representatives candidate if any other candidate seeking nomination or election to that office—

''(1) is not an eligible House of Representatives general election candidate; and

''(2) makes contributions or loans to his or her own campaign totaling more than $50,000 from his or her own personal funds.

''(k) CIVIL PENALTIES.—

''(1) LOW AMOUNT OF EXCESS CONTRIBUTIONS.—Any eligible House of Representatives candidate who accepts contributions that exceed the limitations under this section by 2.5 percent or less shall refund the excess contributions to the persons who made the contributions.

''(2) MEDIUM AMOUNT OF EXCESS CONTRIBUTIONS.—Any eligible House of Representatives candidate who accepts contributions that exceed the limitations under this section by more than 2.5 percent and less than 5 percent shall pay to the Commission an amount equal to three times the amount of the excess contributions.

''(3) LARGE AMOUNT OF EXCESS CONTRIBUTIONS.—Any eligible House of Representatives candidate who accepts contributions that exceed the limitations under this section by 5 percent or more shall pay to the Commission an amount equal to three times the amount of the excess contributions plus a civil penalty in an amount determined by the Commission.

''(l) EXEMPTION FOR CERTAIN COSTS.—Any amount—

''(1) accepted by a House of Representatives candidate; and

''(2) used for costs incurred under section 601(e) and (f) shall not be considered in the computation of amounts subject to limitation.

''(m) INDEXING.—The dollar amounts specified in section 315(i) shall be adjusted at the beginning of the calendar year based on the increase in the price index determined under section 315(c), except that, for the purposes of such adjustment, the base period shall be calendar year 1992.

''(n) TRANSFER PROVISION.—The limitations imposed by section 315(i) apply without regard to amounts transferred from previous election cycles or other authorized committees of the same candidate. Candidates shall not be required to seek the redesignation of contributions in order to transfer such contributions to a later election cycle.''.

TITLE III—INDEPENDENT EXPENDITURES

SEC. 301. CLARIFICATION OF DEFINITIONS RELATING TO INDEPENDENT EXPENDITURES.

(a) INDEPENDENT EXPENDITURE DEFINITION AMENDMENT.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) is amended by striking paragraphs (17) and (18) and inserting the following:

''(17)(A) The term 'independent expenditure' means an expenditure for an advertisement or other communication that—

''(i) contains express advocacy; and

''(ii) is made without the participation or cooperation of, or consultation with, a candidate or a candidate's representative.

''(B) The following shall not be considered an independent expenditure:

''(i) An expenditure made by an authorized committee of a candidate for Federal office or a political committee of a political party.

''(ii) An expenditure made by a person who, during the election cycle, has made a contribution to a candidate, where the expenditure is in support of that candidate or in opposition to another candidate for the same office.

''(iii) An expenditure made by a person, or a political committee established, maintained or controlled by such person, who is required to register, under section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267) or the Foreign Agents Registration Act (22 U.S.C. 611) or any successor Federal law requiring a person who is a lobbyist or foreign agent to register.

''(iv) An expenditure made by a person who, during the election cycle, has communicated with or received information from a candidate or a representative of that candidate regarding activities that have the purpose of influencing that candidate's election to Federal office, where the expenditure is in support of that candidate or in opposition to another candidate for that office.

''(v) An expenditure if, in the same election cycle, the person making the expenditure is or has been—

''(I) authorized to raise or expend funds on behalf of the candidate or the candidate's authorized committees; or

''(II) serving as a member, employee, or agent of the candidate's authorized committees in an executive or policymaking position.

''(18) The term 'express advocacy' means, when a communication is taken as a whole and with limited reference to external events, an expression of support for or opposition to a specific candidate, to a specific group of candidates, or to candidates of a particular political party, or a suggestion to take action with respect to an election, such as to vote for or against, make contributions to, or participate in campaign activity.''.

(b) CONTRIBUTION DEFINITION AMENDMENT.—Section 301(8)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(A)) is amended—

(1) in clause (i), by striking ''or'' after the semicolon at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; or''; and

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

''(iii) any payment or other transaction referred to in paragraph (17)(A)(i) that does not qualify as an independent expenditure under paragraph (17)(A)(ii).''.

SEC. 302. REPORTING REQUIREMENTS FOR CERTAIN INDEPENDENT EXPENDITURES.

Section 304(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(c)) is amended—

(1) in paragraph (2), by striking out the undesignated matter after subparagraph (C);

(2) by redesignating paragraph (3) as paragraph (8); and

(3) by inserting after paragraph (2), as amended by paragraph (1), the following new paragraphs:

''(3)(A) Any person (including a political committee) making an independent expenditure (including those described in subsection (b)(6)(B)(iii) of this section) aggregating $1,000 or more made after the 20th day, but more than 24 hours, before any election shall file a report within 24 hours after such independent expenditure is made.

''(B) Any person (including a political committee) making an independent expenditure aggregating $5,000 or more made at any time up to and including the 20th day before any election shall file a report within 48 hours after such independent expenditure is made. An additional report shall be filed each time independent expenditures aggregating $5,000 are made with respect to the same election as the initial report filed under this section.

''(C) Such report shall be filed with the Clerk of the House of Representatives, the Secretary of the Senate, or the Commission, whichever is applicable, and the Secretary of State of the State involved and shall contain the information required by subsection (b)(6)(B)(iii) of this section, including whether the independent expenditure is in support of, or in opposition to, the candidate involved. The Clerk of the House of Representatives and the Secretary of the Senate shall as soon as possible (but not later than 4 working hours of the Commission) after receipt of a report transmit it to the Commission. Not later than 48 hours after the Commission receives a report, the Commission shall transmit a copy of the report to each candidate seeking nomination or election to that office.

''(D) For purposes of this section, the term 'made' includes any payment and any action taken to incur an obligation for payment.

''(4)(A) If any person (including a political committee) intends to make independent expenditures totaling $5,000 during the 20 days before an election, such person shall file a report no later than the 20th day before the election.

''(B) Such report shall be filed with the Clerk of the House of Representatives, the Secretary of the Senate, or the Commission, whichever is applicable, and the Secretary of State of the State involved, and shall identify each candidate whom the expenditure is actually intended to support or to oppose. The Clerk of the House of Representatives and the Secretary of the Senate shall as soon as possible (but not later than 4 working hours of the Commission) after receipt of a report transmit it to the Commission. Not later than 48 hours after the Commission receives a report under this paragraph, the Commission shall transmit a copy of the statement to each candidate identified.

''(5) The Commission may make its own determination that a person has made, or has incurred obligations to make, independent expenditures with respect to any Federal election which in the aggregate exceed the applicable amounts under paragraph (3) or (4). The Commission shall notify each candidate in such election of such determination within 24 hours of making it.

''(6) At the same time as an eligible candidate who has qualified under section 604(b) is notified under paragraph (3), (4), or (5) with respect to expenditures during a general election period, the Commission shall certify eligibility to receive benefits under section 604(b).

''(7) The Clerk of the House of Representatives and the Secretary of the Senate shall make any report received under this subsection available for public inspection and copying in the same manner as the Commission under section 311(a)(4), and shall preserve such statements in the same manner as the Commission under section 311(a)(5).''.

SEC. 303. BROADCAST AND CABLE INDEPENDENT EXPENDITURE COMMUNICATIONS AGAINST ELIGIBLE HOUSE OF REPRESENTATIVES CANDIDATES.

Section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended—

(1) by redesignating subsections (c) and (d) as subsections (e) and (f), respectively; and

(2) by inserting immediately before subsection (e) as redesignated the following new subsection:

''(d) If any person makes an independent expenditure through a communication on a broadcasting station or a cable system (as defined in section 602 of this Act) that expressly advocates the defeat of an eligible House of Representatives candidate, or the election of the opponent of an eligible House of Representatives candidate (regardless of whether such opponent is an eligible candidate), the licensee or cable operator, as applicable, shall, not later than one week after the communication (or not later than 24 hours after the communication, if the communication occurs not more than one week before the election) transmit to such candidate—

''(1) a statement of the date and time of the communication;

''(2) a script or tape recording of the communication, or an accurate summary of the communication if a script or tape recording is not available; and

''(3) an offer of an equal opportunity for such candidate to use the broadcasting station or cable system to respond to the communication at a charge determined in accordance with subsection (b).''.

TITLE IV—CONTRIBUTIONS AND EXPENDITURES BY POLITICAL PARTY COMMITTEES

SEC. 401. DEFINITIONS.

(a) CONTRIBUTION AND EXPENDITURE EXCEPTIONS.—(1) Clause (xii) of section 301(8)(B) of Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)(xii)) is amended—

(A) by inserting ''in connection with volunteer activities'' after ''such committee''; and

(B) by striking ''and'' at the end of subclause (2), by inserting ''and'' at the end of subclause (3), and by adding at the end the following new subclause:

''(4) such activities are conducted solely by, and any materials are prepared for distribution, and are distributed solely by, volunteers;''.

(2) Clause (ix) of section 301(9)(B) of Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(B)(ix)) is amended—

(A) by inserting ''in connection with volunteer activities'' after ''such committee'';

(B) by striking ''and'' at the end of subclause (2); and

(C) by adding at the end the following new subclause:

''(4) such activities are conducted solely by, and any materials are prepared for distribution and are distributed solely by, volunteers; and''.

(b) GENERIC ACTIVITIES; STATE PARTY GRASSROOTS FUND.—Section 301 of Federal Election Campaign Act of 1971 (2 U.S.C. 431), as amended by section 123, is further amended by adding at the end the following new paragraphs:

''(29) The term 'generic campaign activity' means any campaign activity conducted by a political party to promote a political party rather than any Federal or non-Federal candidate and which does not identify any Federal or non-Federal candidate.

''(30) The term 'State Party Grassroots Fund' means a separate segregated fund established and maintained by a State committee of a political party solely for purposes of making expenditures and other disbursements described in section 323(d).''.

SEC. 402. CONTRIBUTIONS TO POLITICAL PARTY COMMITTEES.

(a) INDIVIDUAL CONTRIBUTIONS TO POLITICAL PARTY COMMITTEES.—Paragraph (1) of section 315(a) of Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)) is amended by striking ''or'' at the end of subparagraph (B), by redesignating subparagraph (C) as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

''(C) to—

''(i) a State Party Grassroots Fund established and maintained by a State committee of a political party in any calendar year which, in the aggregate, exceed $20,000;

''(ii) any other political committee established and maintained by a State committee of a political party in any calendar year which, in the aggregate, exceed $5,000,

except that the aggregate contributions described in this subparagraph which may be made by a person to the State Party Grassroots Fund and all committees of a State Committee of a political party in any State in any calendar year shall not exceed $20,000; or''.

(b) MULTICANDIDATE COMMITTEE CONTRIBUTIONS TO STATE PARTY.—Paragraph (2) of section 315(a) of Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)) is amended by striking ''or'' at the end of subparagraph (B), by redesignating subparagraph (C) as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

''(C) to—

''(i) a State Party Grassroots Fund established and maintained by a State committee of a political party in any calendar year which, in the aggregate, exceed $15,000;

''(ii) to any other political committee established and maintained by a State committee of a political party which, in the aggregate, exceed $5,000,

except that the aggregate contributions described in this subparagraph which may be made by a multicandidate political committee to the State Party Grassroots Fund and all committees of a State Committee of a political party in any State in any calendar year shall not exceed $15,000; or''.

(c) OVERALL LIMIT.—Paragraph (3) of section 315(a) of Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(3)) is amended to read as follows:

''(3)(A) No individual shall make contributions during any election cycle (as defined in section 301(29)(B)) which, in the aggregate, exceed $60,000.

''(B) No individual shall make contributions during any calendar year—

''(i) to all candidates and their authorized political committees which, in the aggregate, exceed $25,000; or

''(ii) to all political committees established and maintained by State committees of a political party which, in the aggregate, exceed $20,000.

''(C) For purposes of subparagraph (B)(i), any contribution made to a candidate or the candidate's authorized political committees in a year other than the calendar year in which the election is held with respect to

which such contribution is made shall be treated as made during the calendar year in which the election is held.''.

SEC. 403. PROVISIONS RELATING TO NATIONAL, STATE, AND LOCAL PARTY COMMITTEES.

(a) SOFT MONEY OF COMMITTEES OF POLITICAL PARTIES.—Title III of Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding after section 322 the following new section:

''SEC. 323. POLITICAL PARTY COMMITTEES.

''(a) LIMITATIONS ON NATIONAL COMMITTEE.—(1) A national committee of a political party and the congressional campaign committees of a political party may not solicit or accept contributions or transfers not subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) Paragraph (1) shall not apply to contributions—

''(A) that—

''(i) are to be transferred to a State committee of a political party and are used solely for activities described in clauses (xi) through (xvii) of paragraph (9)(B) of section 301;

''(ii) are described in section 301(8)(B)(viii); and

''(B) with respect to which contributors have been notified that the funds will be used solely for the purposes described in subparagraph (A).

''(b) ACTIVITIES SUBJECT TO THIS ACT.—Any amount solicited, received, expended, or disbursed directly or indirectly by a national, State, district, or local committee of a political party with respect to any of the following activities shall be subject to the limitations, prohibitions, and reporting requirements of this Act:

''(A) Any get-out-the-vote activity conducted during a calendar year in which an election for the office of President is held.

''(B) Any other get-out-the-vote activity unless subsection (c)(2) applies to the activity.

''(C) Any generic campaign activity.

''(D) Any activity that identifies or promotes a Federal candidate, regardless of whether—

''(i) a State or local candidate is also identified or promoted; or

''(ii) any portion of the funds disbursed constitutes a contribution or expenditure under this Act.

''(E) Voter registration.

''(F) Development and maintenance of voter files during an even-numbered calendar year.

''(G) Any other activity that—

''(i) significantly affects a Federal election, or

''(ii) is not otherwise described in section 301(8)(B)(xvii).

Any amount spent to raise funds that are used, in whole or in part, in connection with activities described in the preceding paragraphs shall be subject to the limitations, prohibitions, and reporting requirements of this Act.

''(c) GET-OUT-THE-VOTE ACTIVITIES BY STATE, DISTRICT, AND LOCAL COMMITTEES OF POLITICAL PARTIES.—(1) Except as provided in paragraph (2), any get-out-the-vote activity for a State or local candidate, or for a ballot measure, which is conducted by a State, district, or local committee of a political party shall be subject to the limitations, prohibitions, and reporting requirements of this Act.

''(2) Paragraph (1) shall not apply to any activity which the State committee of a political party certifies to the Commission is an activity which—

''(A) is conducted during a calendar year other than a calendar year in which an election for the office of President is held,

''(B) is exclusively on behalf of (and specifically identifies only) one or more State or local candidates or ballot measures, and

''(C) does not include any effort or means used to identify or turn out those identified to be supporters of any Federal candidate (including any activity that is undertaken in coordination with, or on behalf of, a candidate for Federal office).

''(d) STATE PARTY GRASSROOTS FUNDS.—(1) A State committee of a political party may make disbursements and expenditures from its State Party Grassroots Fund only for—

''(A) any generic campaign activity;

''(B) payments described in clauses (v), (x), and (xii) of paragraph (8)(B) and clauses (iv), (viii), and (ix) of paragraph (9)(B) of section 301;

''(C) subject to the limitations of section 315(d), payments described in clause (xii) of paragraph (8)(B), and clause (ix) of paragraph (9)(B), of section 301 on behalf of candidates other than for President and Vice President;

''(D) voter registration; and

''(E) development and maintenance of voter files during an even-numbered calendar year.

''(2) Notwithstanding section 315(a)(4), no funds may be transferred by a State committee of a political party from its State Party Grassroots Fund to any other State Party Grassroots Fund or to any other political committee, except a transfer may be made to a district or local committee of the same political party in the same State if such district or local committee—

''(A) has established a separate segregated fund for the purposes described in paragraph (1); and

''(B) uses the transferred funds solely for those purposes.

''(e) AMOUNTS RECEIVED BY GRASSROOTS FUND FROM STATE AND LOCAL CANDIDATE COMMITTEES.—(1) Any amount received by a State Party Grassroots Fund from a State or local candidate committee for expenditures described in subsection (b) that are for the benefit of that candidate shall be treated as meeting the requirements of subsection (b) and section 304(e) if—

''(A) such amount is derived from funds which meet the requirements of this Act with respect to any limitation or prohibition as to source or dollar amount specified in section 315(a) (1)(A) and (2)(A); and

''(B) the State or local candidate committee—

''(i) maintains, in the account from which payment is made, records of the sources and amounts of funds for purposes of determining whether such requirements are met; and

''(ii) certifies that such requirements were met.

''(2) For purposes of paragraph (1)(A), in determining whether the funds transferred meet the requirements of this Act described in such paragraph—

''(A) a State or local candidate committee's cash on hand shall be treated as consisting of the funds most recently received by the committee, and

''(B) the committee must be able to demonstrate that its cash on hand contains sufficient funds meeting such requirements as are necessary to cover the transferred funds.

''(3) Notwithstanding paragraph (1)—

''(A) any State Party Grassroots Fund receiving any transfer described in paragraph (1) from a State or local candidate committee shall be required to meet the reporting requirements of this Act, and shall submit to the Commission all certifications received, with respect to receipt of the transfer from such candidate committee; and

''(B) in the case of a subordinate committee of a State committee which maintains segregated accounts which are not commingled with other accounts of the State committee and which subordinate committee is subject to reporting and contribution limitation requirements of State law, the certification required by this paragraph may be made by such subordinate committee.

''(4) For purposes of this subsection, a State or local candidate committee is a committee established, financed, maintained, or controlled by a candidate for other than Federal office.''.

(b) CONTRIBUTIONS AND EXPENDITURES.—(1) Section 301(8)(B) of Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)) is amended—

(A) in clause (viii), by inserting after ''Federal office'' the following: ''or any amounts received by any committee of any National or State political party to support the operation of a television and radio broadcast facility'';

(B) by striking ''and'' at the end of clause (xiii);

(C) by striking clause (xiv); and

(D) by inserting after clause (xiii) the following new clauses:

''(xiv) any amount contributed to a candidate for other than Federal office;

''(xv) any amount received or expended to pay the costs of a State or local political convention;

''(xvi) any payment for campaign activities that are exclusively on behalf of (and specifically identify only) State or local candidates and do not identify any Federal candidate, and that are not activities described in section 323(b) (without regard to paragraph (6)(B)) or section 323(c)(1);

''(xvii) any payment for administrative expenses of a State or local committee of a political party, including expenses for—

''(I) overhead, including party meetings;

''(II) staff (other than individuals devoting a significant amount of their time to elections for Federal office and individuals engaged in conducting get-out-the-vote activities for a Federal election); and

''(III) conducting party elections or caucuses;

''(xviii) any payment for research pertaining solely to State and local candidates and issues;

''(xix) any payment for development and maintenance of voter files other than during the 1-year period ending on the date during an even-numbered calendar year on which regularly scheduled general elections for Federal office occur; and

''(xx) any payment for any other activity which is solely for the purpose of influencing, and which solely affects, an election for non-Federal office and which is not an activity described in section 323(b) (without regard to paragraph (6)(B)) or section 323(c)(1).''.

(2) Section 301(9)(B) of Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(B)), as amended by section 401, is further amended by striking ''and'' at the end of clause (ix), by striking the period at the end of clause (x) and inserting a semicolon, and by adding at the end the following new clauses:

''(xi) any amounts expended by any committee of any National or State political party to support the operation of a television and radio broadcast facility;

''(xii) any amount contributed to a candidate for other than Federal office;

''(xiii) any amount received or expended to pay the costs of a State or local political convention;

''(xiv) any payment for campaign activities that are exclusively on behalf of (and specifically identify only) State or local candidates and do not identify any Federal candidate, and that are not activities described in section 323(b) (without regard to paragraph (6)(B)) or section 323(c)(1);

''(xv) any payment for administrative expenses of a State or local committee of a political party, including expenses for—

''(I) overhead, including party meetings;

''(II) staff (other than individuals devoting a significant amount of their time to elections for Federal office and individuals engaged in conducting get-out-the-vote activities for a Federal election); and

''(III) conducting party elections or caucuses;

''(xvi) any payment for research pertaining solely to State and local candidates and issues;

''(xvii) any payment for development and maintenance of voter files other than during the 1-year period ending on the date during an even-numbered calendar year on which regularly scheduled general elections for Federal office occur; and

''(xviii) any payment for any other activity which is solely for the purpose of influencing, and which solely affects, an election for non-Federal office and which is not an activity described in section 323(b) (without regard to paragraph (6)(B)) or section 323(c)(1).''.

(c) LIMITATION APPLIED AT NATIONAL LEVEL.—Paragraph (3) of section 315(d) of Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)(3)) is amended by adding at the end the following new flush sentence:

''Notwithstanding the preceding sentence, the applicable congressional campaign committee of a political party shall make the expenditures described in this paragraph which are authorized to be made by a national or State committee with respect to a candidate in any State unless it allocates all or a portion of such expenditures to either or both of such committees.''.

(d) LIMITATIONS APPLY FOR ENTIRE ELECTION CYCLE.—Section 315(d)(1) of Federal Election Campaign Act of 1971 (2 U.S.C. 441a(d)(1)) is amended by adding at the end the following new sentence: ''Each limitation under the following paragraphs shall apply to the entire election cycle for an office.''.

SEC. 404. REPORTING REQUIREMENTS.

(a) REPORTING REQUIREMENTS.—Section 304 of Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended by adding at the end the following new subsection:

''(d) POLITICAL COMMITTEES.—(1) The national committee of a political party and any congressional campaign committee of a political party, and any subordinate committee of either, shall report all receipts and disbursements during the reporting period, whether or not in connection with an election for Federal office.

''(2) A political committee (not described in paragraph (1)) to which section 323 applies shall report all receipts and disbursements including separate schedules for receipts and disbursements for State Grassroots Funds described in section 301(30).

''(3) Any political committee to which section 323 applies shall include in its report under paragraph (1) or (2) the amount of any transfer described in section 323(d)(2) and shall itemize such amounts to the extent required by section 304(b)(3)(A).

''(4) Any political committee to which paragraph (1) or (2) does not apply shall report any receipts or disbursements which are used in connection with a Federal election.

''(5) If a political committee has receipts or disbursements to which this subsection applies from any person aggregating in excess of $200 for any calendar year, the political committee shall separately itemize its reporting for such person in the same manner as subsection (b) (3)(A), (5), or (6).

''(6) Reports required to be filed by this subsection shall be filed for the same time periods required for political committees under subsection (a).''.

(b) REPORT OF EXEMPT CONTRIBUTIONS.—Section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)) is amended by adding at the end the following:

''(C) The exclusion provided in clause (viii) of subparagraph (B) shall not apply for purposes of any requirement to report contributions under this Act, and all such contributions aggregating in excess of $200 shall be reported.''.

(c) REPORTS BY STATE COMMITTEES.—Section 304 of Federal Election Campaign Act of 1971 (2 U.S.C. 434), as amended by subsection (a), is amended by adding at the end the following new subsection:

''(e) FILING OF STATE REPORTS.—In lieu of any report required to be filed by this Act, the Commission may allow a State committee of a political party to file with the Commission a report required to be filed under State law if the Commission determines such reports contain substantially the same information.''.

(d) OTHER REPORTING REQUIREMENTS.—

(1) AUTHORIZED COMMITTEES.—Paragraph (4) of section 304(b) of Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(4)) is amended by striking ''and'' at the end of subparagraph (H), by inserting ''and'' at the end of subparagraph (I), and by adding at the end the following new subparagraph:

''(J) in the case of an authorized committee, disbursements for the primary election, the general election, and any other election in which the candidate participates;''.

(2) NAMES AND ADDRESSES.—Subparagraph (A) of section 304(b)(5) of Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(5)(A)) is amended—

(A) by striking ''within the calendar year'', and

(B) by inserting '', and the election to which the operating expenditure relates'' after ''operating expenditure''.

SEC. 405. RESTRICTIONS ON FUNDRAISING BY CANDIDATES AND OFFICEHOLDERS.

Section 315 of Federal Election Campaign Act of 1971 (2 U.S.C. 441a), as amended by section 201, is further amended by adding at the end the following new subsection:

''(o) LIMITATIONS ON FUNDRAISING ACTIVITIES OF FEDERAL CANDIDATES AND OFFICEHOLDERS AND CERTAIN POLITICAL COMMITTEES.—(1) For purposes of this Act, a candidate for Federal office, an individual holding Federal office, or any agent of the candidate or individual may not solicit funds to, or receive funds on behalf of, any Federal candidate or political committee, or any party or other multicandidate committee organized under State law to support more than one candidate for non-Federal office—

''(A) which are to be expended in connection with any election for Federal office unless such funds are subject to the limitations, prohibitions, and requirements of this Act; or

''(B) which are to be expended in connection with any election for other than Federal office unless such funds are not in excess of amounts permitted with respect to Federal candidates and political committees under subsections (a) (1) and (2), and are not from sources prohibited by such subsections with respect to elections to Federal office.

The limitations of this subsection do not apply to the solicitation or receipt of funds by a Federal candidate on behalf of any committee or organization organized primarily for purposes other than the election of particular candidates for public office.

''(2)(A) The aggregate amount which a person described in subparagraph (B) may solicit from a multicandidate political committee for State committees described in subsection (a)(1)(C) (including subordinate committees) for any calendar year shall not exceed the dollar amount in effect under subsection (a)(2)(B) for the calendar year.

''(B) A person is described in this subparagraph if such person is a candidate for Federal office, an individual holding Federal office, an agent of such a candidate or individual, or any national, State, district, or local committee of a political party (including a subordinate committee) and any agent of such a committee.

''(3) The personal appearance or participation by a candidate for Federal office or individual holding Federal office in any fundraising event conducted by a committee of a political party or a candidate for other than Federal office shall not be treated as a solicitation for purposes of paragraph (1) if such candidate or individual does not receive, or make disbursements from, any funds resulting from such activity.

''(4) Paragraph (1) shall not apply to the solicitation or receipt of funds, or disbursements, by an individual who is a candidate for other than Federal office if such activity is permitted under State law.

''(5) For purposes of this subsection, an individual shall be treated as holding Federal office if such individual—

''(A) holds a Federal office; or

''(B) holds a position described in level I of the Executive Schedule under section 5312 of title 5, United States Code.''.

SEC. 406. INCREASE IN AUTHORIZED POLITICAL COMMITTEE CONTRIBUTIONS TO CONGRESSIONAL CAMPAIGN COMMITTEES.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a), as amended by sections 201 and 405 is further amended by adding at the end the following new subsection:

''(p) AUTHORIZED POLITICAL COMMITTEE CONTRIBUTIONS TO CONGRESSIONAL CAMPAIGN COMMITTEE.—For purposes of the limitations imposed by this section and notwithstanding any other provision of this section, the authorized political committees of a House of Representatives or United States Senate candidate shall not make contributions aggregating more than $10,000 in any calendar year to the congressional campaign committees of a political party.''.

SEC. 407. INCREASE IN THE AMOUNT THAT MULTICANDIDATE POLITICAL COMMITTEES MAY CONTRIBUTE TO NATIONAL POLITICAL PARTY COMMITTEES.

Section 315(a)(2)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(2)(B)) is amended by striking out ''$15,000'' and inserting in lieu thereof ''$25,000''.

SEC. 408. MERCHANDISING AND AFFINITY CARDS.

Section 316 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b) is amended by adding at the end the following new subsection:

''(c) Notwithstanding the provisions of this section or any other provision of this Act to the contrary, an amount received from a corporation (including a State-chartered or national bank) by any political committee (other than a separate segregated fund established under section 316(b)(2)(C)) shall be deemed to meet the limitations and prohibitions of this Act if such amount represents a commission or royalty on the sale of goods or services, or on the issuance of credit cards, by such corporation and if—

''(1) such goods, services, or credit cards are promoted by or in the name of the political committee as a means of contributing to or supporting the political committee and are offered to consumers using the name of the political committee or using a message, design, or device created and owned by the political committee, or both;

''(2) the corporation is in the business of merchandising such goods or services, or of issuing such credit cards;

''(3) the royalty or commission has been offered by the corporation to the political committee in the ordinary course of the corporation's business and on the same terms

and conditions as those on which such corporation offers royalties or commissions to nonpolitical entities;

''(4) all revenue on which the commission or royalty is based represents, or results from, sales to or fees paid by individual consumers in the ordinary course of retail transactions;

''(5) the costs of any unsold inventory of goods are ultimately borne by the political committee in accordance with rules to be prescribed by the Commission; and

''(6) except for any royalty or commission permitted to be paid by this subsection, no goods, services, or anything else of value is provided by such corporation to the political committee, provided that such corporation may advance or finance costs or extend credit in connection with the manufacture and distribution of goods, provision of services, or issuance of credit cards pursuant to this subsection if and to the extent such advance, financing, or extension is undertaken in the ordinary course of the corporation's business and is undertaken on similar terms by such corporation in its transactions with nonpolitical entities in like circumstances.''.

SEC. 409. INCREASED LIMITATION AMOUNT FOR CERTAIN CONTRIBUTIONS TO POLITICAL COMMITTEES OF STATE POLITICAL PARTIES.

Section 315(a)(1)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)(B)) is amended—

(1) by inserting after ''(B)'' the following: ''notwithstanding any other provision of law,''; and

(2) by inserting after ''national'' the following: ''or State''.

TITLE V—CONTRIBUTIONS

SEC. 501. RESTRICTIONS ON BUNDLING.

Section 315(a)(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(8)) is amended to read as follows:

''(8)(A) No person, either directly or indirectly, may act as a conduit or intermediary for any contribution to a candidate.

''(B)(i) Nothing in this section shall prohibit—

''(I) joint fundraising conducted in accordance with rules prescribed by the Commission by 2 or more candidates; or

''(II) fundraising for the benefit of a candidate that is conducted by another candidate.

''(ii) No other person may conduct or otherwise participate in joint fundraising activities with or on behalf of any candidate.

''(C) The term 'conduit or intermediary' means a person who transmits a contribution to a candidate or candidate's committee or representative from another person, except that—

''(i) a House of Representatives candidate or representative of a House of Representatives candidate is not a conduit or intermediary for the purpose of transmitting contributions to the candidate's principal campaign committee or authorized committee;

''(ii) a professional fundraiser is not a conduit or intermediary, if the fundraiser is compensated for fundraising services at the usual and customary rate;

''(iii) a volunteer hosting a fundraising event at the volunteer's home, in accordance with section 301(8)(b), is not a conduit or intermediary for the purposes of that event; and

''(iv) an individual is not a conduit or intermediary for the purpose of transmitting a contribution from the individual's spouse. For purposes of this section a conduit or intermediary transmits a contribution when receiving or otherwise taking possession of the contribution and forwarding it directly to the candidate or the candidate's committee or representative.

''(D) For purposes of this section, the term 'representative'—

''(i) shall mean a person who is expressly authorized by the candidate to engage in fundraising, and who, in the case of an individual, is not acting as an officer, employee, or agent of any other person;

''(ii) shall not include—

''(I) a political committee with a connected organization;

''(II) a political party;

''(III) a partnership or sole proprietorship;

''(IV) an organization prohibited from making contributions under section 316; or

''(V) a person required to register under section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267) or the Foreign Agents Registration Act (22 U.S.C. 611) or any successor Federal law requiring a person who is a lobbyist or a foreign agent to register.

''(E) For purposes of this section, the term 'acting as an officer, employee, or agent of any other person' includes the following activities by a salaried officer, employee, or paid agent of a person described in subparagraph (D)(ii)(IV):

''(i) Soliciting contributions to a particular candidate in the name of, or by using the name of, such a person.

''(ii) Soliciting contributions to a particular candidate using other than the incidental resources of such a person.

''(iii) Soliciting contributions to a particular candidate under the direction or control of other salaried officers, employees, or paid agents of such a person.

For purposes of this subparagraph, the term 'agent' shall include any person (other than individual members of an organization described in subparagraph (b)(4)(C) of section 316) acting on authority or under the direction of such organization.''.

SEC. 502. CONTRIBUTIONS BY DEPENDENTS NOT OF VOTING AGE.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a), as amended by sections 201, 405, and 406, is further amended by adding at the end the following new subsection:

''(q) For purposes of this section, any contribution by an individual who—

''(1) is a dependent of another individual; and

''(2) has not, as of the time of such contribution, attained the legal age for voting for elections to Federal office in the State in which such individual resides,

shall be treated as having been made by such other individual. If such individual is the dependent of another individual and such other individual's spouse, the contribution shall be allocated among such individuals in the manner determined by them.''.

SEC. 503. PROHIBITION OF ACCEPTANCE BY A CANDIDATE OF CASH CONTRIBUTIONS FROM ANY ONE PERSON AGGREGATING MORE THAN $100.

Section 321 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441g) is amended by inserting '', and no candidate or authorized committee of a candidate shall accept from any one person,'' after ''make''.

SEC. 504. CONTRIBUTIONS TO CANDIDATES FROM STATE AND LOCAL COMMITTEES OF POLITICAL PARTIES TO BE AGGREGATED.

Section 315(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

''(9) Notwithstanding paragraph (5)(B), a candidate for Federal office may not accept, with respect to an election, any contribution from a State or local committee of a political party (including any subordinate committee of such committee), if such contribution, when added to the total of contributions previously accepted from all such committees of that political party, exceeds the limitation on contributions to a candidate under paragraph (2)(A).''.

SEC. 505. PROHIBITION OF FALSE REPRESENTATION TO SOLICIT CONTRIBUTIONS.

Section 322 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441h) is amended—

(1) by inserting after ''SEC. 322.'' the following: ''(a)''; and

(2) by adding at the end the following:

''(b) No person shall solicit contributions by falsely representing himself as a candidate or as a representative of a candidate, a political committee, or a political party.''.

SEC. 506. LIMITED EXCLUSION OF ADVANCES BY CAMPAIGN WORKERS FROM THE DEFINITION OF THE TERM "CONTRIBUTION".

Section 301(8)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)), as amended by section 403, is further amended—

(1) in clause (xix), by striking ''and'' after the semicolon at the end;

(2) in clause (xx), by striking the period at the end and inserting: ''; and''; and

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

''(xxi) any advance voluntarily made on behalf of an authorized committee of a candidate by an individual in the normal course of such individual's responsibilities as a volunteer for, or employee of, the committee, if the advance is reimbursed by the committee within 10 days after the date on which the advance is made, and the value of advances on behalf of a committee does not exceed $500 with respect to an election.''.

SEC. 507. AMENDMENT TO SECTION 316 OF THE FEDERAL ELECTION CAMPAIGN ACT OF 1971.

Section 316(b)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)(2)) is amended—

(1) by striking ''(2) For'' and inserting ''(2)(A) Except as provided in subparagraph (B), for'';

(2) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively; and

(3) by adding at the end the following:

''(B) Expenditures by a corporation or labor organization for candidate appearances, candidate debates, voter guides, or voting records directed to the general public shall be considered contributions unless—

''(i) in the case of a candidate appearance, the appearance takes place on corporate or labor organization premises or at a meeting or convention of the corporation or labor organization, and all candidates for election to that office are notified that they may make an appearance under the same or similar conditions;

''(ii) in the case of a candidate debate, the organization staging the debate is either an organization described in section 301 whose broadcasts or publications are supported by commercial advertising, subscriptions or sales to the public, including a noncommercial educational broadcaster, or a nonprofit organization exempt from Federal taxation under section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986 that does not endorse, support, oppose candidates or political parties and any such debate features at least 2 candidates competing for election to that office;

''(iii) in the case of a voter guide, the guide is prepared and distributed by a corporation or labor organization and consists of questions posed to at least two candidates for election to that office; and

''(iv) in the case of a voting record, the record is prepared and distributed by a corporation or labor organization and such preparation and distribution occurs either without consultation with any candidate whose record is included or in consultation with all such candidates;

provided that no communication made by a corporation or labor organization in connection with the candidate appearance, candidate debate, voter guide, or voting record contains express advocacy, or that no structure or format of the candidate appearance, candidate debate, voter guide, or voting record, nor any preparation or distribution of any such guide or record, reflects a purpose of influencing the election of a particular candidate.''.

SEC. 508. PROHIBITION OF CERTAIN ELECTION-RELATED ACTIVITIES OF FOREIGN NATIONALS.

Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended by adding at the end the following new subsections:

''(c) A foreign national shall not directly or indirectly direct, control, influence or participate in any person's election-related activities, such as the making of contributions or expenditures in connection with elections for any local, State, or Federal office or the administration of a political committee.

''(d) A separate segregated fund established in accordance with section 316(b)(2)(C) involved in the making of contributions or expenditures in connection with elections for any Federal, State, or local office shall include the following statement on all printed materials produced for the purpose of soliciting contributions:

'' 'It is unlawful for a foreign national to make any contribution of money or other thing of value to a political committee.'.''.

TITLE VI—REPORTING REQUIREMENTS

SEC. 601. CHANGE IN CERTAIN REPORTING FROM A CALENDAR YEAR BASIS TO AN ELECTION CYCLE BASIS.

Paragraphs (2), (3), (4), (6), and (7) of section 304(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(2), (3), (4), (6), and (7)), are amended by inserting after ''calendar year'' each place it appears the following: ''(election cycle, in the case of an authorized committee of a candidate for Federal office)''.

SEC. 602. PERSONAL AND CONSULTING SERVICES.

(a) REPORTING BY POLITICAL COMMITTEES.—Section 304(b)(5)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(5)(A)), as amended by section 405, is further amended by inserting before the semicolon at the end the following: '', except that if a person to whom an expenditure is made is merely providing personal or consulting services and is in turn making expenditures to other persons (not including employees) who provide goods or services to the candidate or his or her authorized committees, the name and address of such other person, together with the date, amount and purpose of such expenditure shall also be disclosed''.

(b) RECORDKEEPING AND REPORTING BY PERSONS TO WHOM EXPENDITURES ARE PASSED THROUGH.—Section 302 of Federal Election Campaign Act of 1971 (2 U.S.C. 432) is amended by adding at the end the following new subsection:

''(j) The person described in section 304(b)(5)(A) who is providing personal or consulting services and who is in turn making expenditures to other persons (not including employees) for goods or services provided to a candidate shall maintain records of and shall provide to a political committee the information necessary to enable the political committee to report the information described in section 304(b)(5)(A).''.

SEC. 603. REDUCTION IN THRESHOLD FOR REPORTING OF CERTAIN INFORMATION BY PERSONS OTHER THAN POLITICAL COMMITTEES.

Section 304(b)(3)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(b)(3)(A)) is amended by striking ''$200'' and inserting ''$100''.

SEC. 604. COMPUTERIZED INDICES OF CONTRIBUTIONS.

Section 311(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 438(a)) is amended—

(1) by striking ''and'' at the end of paragraph (9);

(2) by striking the period at the end of paragraph (10) and inserting ''; and''; and

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

''(11) maintain computerized indices of contributions of $200 or more.''.

SEC. 605. IDENTIFICATION.

Section 301(13)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(13)(A)) is amended by striking ''mailing address'' and inserting ''permanent residence address''.

SEC. 606. POLITICAL COMMITTEES.

Section 303(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 433(b)) is amended—

(1) in paragraph (2), by inserting '', and if the organization or committee is incorporated, the State of incorporation'' after ''committee''; and

(2) by striking the ''name and address of the treasurer'' in paragraph (4) and inserting ''the names and addresses of the officers, including the treasurer''.

SEC. 607. USE OF CANDIDATES' NAMES.

Section 302(e)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(e)(4)) is amended to read as follows:

''(4)(A) The name of each authorized committee shall include the name of the candidate who authorized the committee under paragraph (1).

''(B) A political committee that is not an authorized committee shall not—

''(i) include the name of any candidate in its name, or

''(ii) except in the case of a national, State, or local party committee, use the name of any candidate in any activity on behalf of such committee in such a context as to suggest that the committee is an authorized committee of the candidate or that the use of the candidate's name has been authorized by the candidate.''.

SEC. 608. REPORTING REQUIREMENTS.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434), as amended by section 404, is further amended by adding at the end the following new subsection:

''(f) WAIVER.—The Commission may relieve any category of political committees of the obligation to file 1 or more reports required by this section, or may change the due dates of such reports, if it determines that such action is consistent with the purposes of this Act. The Commission may waive requirements to file reports in accordance with this subsection through a rule of general applicability or, in a specific case, may waive or change the due date of a report by notifying all political committees affected.''.

SEC. 609. SIMULTANEOUS REGISTRATION OF CANDIDATE AND CANDIDATE'S PRINCIPAL CAMPAIGN COMMITTEE.

Section 303(a) of Federal Election Campaign Act of 1971 (2 U.S.C. 433(a)) is amended in the first sentence by striking ''no later than 10 days after designation'' and inserting ''on the date of its designation''.

TITLE VII—FEDERAL ELECTION COMMISSION

SEC. 701. APPEARANCE AS AMICI CURIAE.

Section 306(f) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437c(f)) is amended by striking out paragraph (4) and inserting in lieu thereof the following new paragraph:

''(4)(A) Notwithstanding the provisions of paragraph (2), or of any other provision of law, the Commission is authorized to appear on its own behalf in any action related to the exercise of its statutory duties or powers in any court as either a party or as amicus curiae, either—

''(i) by attorneys employed in its office, or

''(ii) by counsel whom it may appoint, on a temporary basis as may be necessary for such purpose, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and whose compensation it may fix without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title. The compensation of counsel so appointed on a temporary basis shall be paid out of any funds otherwise available to pay the compensation of employees of the Commission.

''(B) The authority granted under subparagraph (A) includes the power to appeal from, and petition the Supreme Court for certiorari to review, judgments or decrees entered with respect to actions in which the Commission appears pursuant to the authority provided in this section.''.

SEC. 702. FEDERAL ELECTION COMMISSION PUBLIC SERVICE ANNOUNCEMENTS.

Title III of Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by sections 403 and 610, is further amended by inserting after section 324 the following new section:

''SEC. 325. PUBLIC SERVICE ANNOUNCEMENTS.

''(a) IN GENERAL.—Beginning on January 15, and continuing through April 15 of each year, the Federal Election Commission shall carry out a program, utilizing broadcast announcements and other appropriate means, to inform the public of the existence and purpose of the Make Democracy Work Election Fund and the role that individual citizens can play in the election process by voluntarily contributing to the Fund. The Commission shall seek to broadcast such announcements during prime time viewing hours in 30-second advertising segments equivalent to 200 gross rating points per network per week. The Commission shall attempt to ensure that the maximum number of taxpayers shall be exposed to these announcements. The Federal Election Commission shall attempt to utilize a variety of communications media, including television, cable, and radio networks, and individual television, cable, and radio stations, to provide similar announcements.

''(b) GROSS RATING POINT.—The term 'gross rating point' is a measure of the total gross weight delivered. It is the sum of the ratings for individual programs. Since a household rating period is 1 percent of the coverage base, 200 gross rating points means 2 messages a week per average household.''.

SEC. 703. AUTHORITY TO SEEK INJUNCTION.

Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) is amended—

(1) by adding at the end the following new paragraph:

''(13)(A) If, at any time in a proceeding described in paragraph (1), (2), (3), or (4), the Commission believes that—

''(i) there is a substantial likelihood that a violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1986 is occurring or is about to occur;

''(ii) the failure to act expeditiously will result in irreparable harm to a party affected by the potential violation;

''(iii) expeditious action will not cause undue harm or prejudice to the interests of others; and

''(iv) the public interest would be best served by the issuance of an injunction,

the Commission may initiate a civil action for a temporary restraining order or a temporary injunction pending the outcome of the proceedings described in paragraphs (1), (2), (3), and (4).

''(B) An Action under subparagraph (A) shall be brought in the United States district court for the district in which the defendant resides, transacts business, or may be found or in which the violation is occurring, has occurred, or is about to occur.'';

(2) in paragraph (7), by striking ''(5) or (6)'' and inserting ''(5), (6), or (13)''; and

(3) in paragraph (11), by striking ''(6)'' and inserting ''(6) or (13)''.

SEC. 704. EXPEDITED PROCEDURES.

Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)), as amended by section 703, is further amended by adding at the end the following new paragraph:

''(14)(A) If the complaint in a proceeding was filed within 60 days immediately preceding a general election, the Commission may take action described in this subparagraph.

''(B) If the Commission determines, on the basis of facts alleged in the complaint and other facts available to it, that there is clear and convincing evidence that a violation of this Act or of chapter 95 or 96 of the Internal Revenue Code of 1986 has occurred, is occurring, or is about to occur and it appears that the requirements for relief stated in paragraph (13)(A)(ii), (iii), and (iv) are met, the Commission may—

''(i) order expedited proceedings, shortening the time periods for proceedings under paragraphs (1), (2), (3), and (4) as necessary to allow the matter to be resolved in sufficient time before the election to avoid harm or prejudice to the interests of the parties; or

''(ii) if the Commission determines that there is insufficient time to conduct proceedings before the election, immediately seek relief under paragraph (13)(A).

''(C) If the Commission determines, on the basis of facts alleged in the complaint and other facts available to it, that the complaint is clearly without merit, the Commission may—

''(i) order expedited proceedings, shortening the time periods for proceedings under paragraphs (1), (2), (3), and (4) as necessary to allow the matter to be resolved in sufficient time before the election to avoid harm or prejudice to the interests of the parties; or

''(ii) if the Commission determines that there is insufficient time to conduct proceedings before the election, summarily dismiss the complaint.''.

SEC. 705. INSOLVENT POLITICAL COMMITTEES.

(a) IN GENERAL.—Section 303(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 433(d)) is amended by adding at the end the following new paragraph:

''(3) Proceedings by the Commission under paragraph (2) constitute the sole means, to the exclusion of proceedings under title 11, United States Code, by which a political committee that is determined by the Commission to be insolvent may compromise its debts, liquidate its assets, and terminate its existence.''.

(b) PROCEDURES.—Section 303(d)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 433(d)(2)) is amended by striking out ''Nothing'' and all that follows through ''procedures'' and inserting in lieu thereof ''The Commission shall establish procedures to allow''.

TITLE VIII—BALLOT INITIATIVE COMMITTEES

SEC. 801. DEFINITIONS RELATING TO BALLOT INITIATIVES.

Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431), as amended by sections 123 and 401, is further amended by adding at the end the following new paragraphs:

''(31) The term 'ballot initiative political committee' means any committee, club, association, or other group of persons which makes ballot initiative expenditures or receives ballot initiative contributions in excess of $1,000 during a calendar year.

''(32) The term 'ballot initiative contribution' means any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing the outcome of any referendum or other ballot initiative voted on at the State, commonwealth, territory, or District of Columbia level which involves—

''(A) the election of candidates for Federal office and the permissible terms of those so elected; or

''(B) the regulation of speech or press, or any other right guaranteed under the United States Constitution.

''(33) The term 'ballot initiative expenditure' means any purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value made by any person for the purpose of influencing the outcome of any referendum or other ballot initiative voted on at the state, commonwealth, territory, or District of Columbia level which involves—

''(A) the election of candidates for Federal office and the permissible terms of those so elected; or

''(B) the regulation of speech or press, or any other right guaranteed under the United States Constitution.''.

SEC. 802. AMENDMENT TO DEFINITION OF CONTRIBUTION.

Section 301(8)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8)(B)), as amended by sections 403 and 506, is further amended—

(1) in clause (xx), by striking ''and'' after the semicolon;

(2) in clause (xxi), by striking the period and inserting ''; and''; and

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

''(xxii) a ballot initiative contribution.''.

SEC. 803. AMENDMENT TO DEFINITION OF EXPENDITURE.

Section 301(9)(B) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(9)(B)), as amended by sections 401 and 403, is further amended—

(1) in clause (xvii), by striking ''and'' after the semicolon;

(2) in clause (xviii), by striking the period and inserting ''; and''; and

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

''(xix) a ballot initiative expenditure.''.

SEC. 804. ORGANIZATION OF BALLOT INITIATIVE COMMITTEES.

Section 302 of the Federal Election Campaign Act of 1971 (2 U.S.C. 432), as amended by section 602, is further amended by adding at the end the following new subsection:

''(k) Every ballot initiative committee shall comply with the organizational and recordkeeping requirements of this section, with respect to all ballot initiative contributions and ballot initiative expenditures.''.

SEC. 805. REGISTRATION OF BALLOT INITIATIVE COMMITTEES.

Section 303 of the Federal Election Campaign Act of 1971 (2 U.S.C. 433) is amended by adding at the end the following new subsection:

''(e) Every ballot initiative committee shall comply with the registration requirements of this section.''.

SEC. 806. REPORTING BY BALLOT INITIATIVE COMMITTEES.

Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434), as amended by sections 404 and 608, is further amended by adding at the end the following new subsection:

''(g) Every ballot initiative committee shall comply with the reporting requirements of subsections (a)(1), (a)(4), and (b), with respect to the reporting of all ballot initiative contributions and ballot initiative expenditures. The provisions of subsections (a)(5), (7), and (8) shall apply to reports filed by ballot initiative committees.''.

SEC. 807. ENFORCEMENT FOR BALLOT INITIATIVE COMMITTEES.

Section 309 of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g) is amended by adding at the end the following new subsection:

''(e) The Commission may proceed in accordance with the requirements of this section, either on the basis of a complaint filed under subsection (a)(1) or on information ascertained in the normal course of carrying out its supervisory responsibilities, to determine whether a ballot initiative committee has complied with the requirements of sections 302, 303, and 304(a)(1), (a)(4) and (b).''.

SEC. 808. PROHIBITION ON CONTRIBUTIONS AND EXPENDITURES BY BALLOT INITIATIVE COMMITTEES.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a), as amended by sections 201, 405, 406, and 502, is further amended by adding at the end the following new subsection:

''(r) Notwithstanding the provisions of subsection (a)(1), it shall be unlawful for any ballot initiative committee to make any contribution or expenditure for the purpose of influencing any election for Federal office.''.

TITLE IX—MISCELLANEOUS

SEC. 901. BROADCAST RATES AND PREEMPTION.

Section 315 of the Communications Act of 1934 (47 U.S.C. 315) is amended—

(1) in subsection (b)(1)—

(A) by striking ''forty-five'' and inserting ''30'';

(B) by striking ''sixty'' and inserting ''45''; and

(C) by striking ''lowest unit charge of the station for the same class and amount of time for the same period'' and insert ''lowest charge of the station for the same amount of time for the same period''; and

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

''(c)(1) Except as provided in paragraph (2), a licensee shall not preempt the use, during any period specified in subsection (b)(1), of a broadcasting station by a legally qualified candidate for public office who has purchased and paid for such use pursuant to the provisions of subsection (b)(1).

''(2) If a program to be broadcast by a broadcasting station is preempted because of circumstances beyond the control of the broadcasting station, any candidate advertising spot scheduled to be broadcast during that program may also be preempted.''.

SEC. 902. CAMPAIGN ADVERTISING AMENDMENTS.

Section 318 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441d) is amended—

(1) in the matter before paragraph (1) of subsection (a), by striking ''Whenever'' and inserting ''Whenever a political committee makes a disbursement for the purpose of financing any communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising, or whenever'';

(2) in the matter before paragraph (1) of subsection (a), by striking ''an expenditure'' and inserting ''a disbursement'';

(3) in the matter before paragraph (1) of subsection (a), by striking ''direct'';

(4) in paragraph (3) of subsection (a), by inserting after ''name'' the following ''and permanent street address''; and

(5) by adding at the end the following new subsections:

''(c) Any printed communication described in subsection (a) shall be—

''(1) of sufficient type size to be clearly readable by the recipient of the communication;

''(2) contained in a printed box set apart from the other contents of the communication; and

''(3) consist of a reasonable degree of color contrast between the background and the printed statement.

''(d)(1) Any communication described in subsection (a)(1) or subsection (a)(2) that is provided to and distributed by any broadcasting station or cable system (as such terms are defined in sections 315 and 602 (respectively) of the Communications Act of 1934) shall include, in addition to the requirements of subsections (a)(1) and (a)(2), an audio statement by the candidate that identifies the candidate and states that the candidate has approved the communication.

''(2) If a communication described in paragraph (1) contains any visual images, the statement required by paragraph (1) shall—

''(A) appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds at the end of the communication; and

''(B) be accompanied by a clearly identifiable photographic or similar image of the candidate.

''(e) Any communication described in subsection (a)(3) that is provided to and distributed by any broadcasting station or cable system (as such terms are defined in sections 315 and 602 (respectively) of the Communications Act of 1934) shall include, in addition to the requirements of those subsections, in a clearly spoken manner, the following statement—

' is responsible for the content of this advertisement.'

with the blank to be filled in with the name of the political committee or other person paying for the communication and the name of any connected organization of the payor; and, if such communication contains visual images, shall also appear in a clearly readable manner with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds.''.

SEC. 903. TELEPHONE VOTING BY PERSONS WITH DISABILITIES.

(a) STUDY OF SYSTEMS TO PERMIT PERSONS WITH DISABILITIES TO VOTE BY TELEPHONE.—

(1) IN GENERAL.—The Federal Election Commission shall conduct a study to determine the feasibility of developing a system or systems by which persons with disabilities may be permitted to vote by telephone.

(2) CONSULTATION.—The Federal Election Commission shall conduct the study described in paragraph (1) in consultation with State and local election officials, representatives of the telecommunications industry, representatives of persons with disabilities, and other concerned members of the public.

(3) CRITERIA.—The system or systems developed pursuant to paragraph (1) shall—

(A) propose a description of the kinds of disabilities that impose such difficulty in travel to polling places that a person with a disability who may desire to vote is discouraged from undertaking such travel;

(B) propose procedures to identify persons who are so disabled; and

(C) describe procedures and equipment that may be used to ensure that—

(i) only those persons who are entitled to use the system are permitted to use it;

(ii) the votes of persons who use the system are recorded accurately and remain secret;

(iii) the system minimizes the possibility of vote fraud; and

(iv) the system minimizes the financial costs that State and local governments would incur in establishing and operating the system.

(4) REQUESTS FOR PROPOSALS.—In developing a system described in paragraph (1), the Federal Election Commission may request proposals from private contractors for the design of procedures and equipment to be used in the system.

(5) PHYSICAL ACCESS.—Nothing in this section is intended to supersede or supplant efforts by State and local governments to make polling places physically accessible to persons with disabilities.

(6) DEADLINE.—The Federal Election Commission shall submit to Congress the study required by this section not later than 1 year after the date of enactment of this Act.

SEC. 904. TRANSFER OF PRESIDENTIAL ELECTION FINANCING PROVISIONS TO FEDERAL ELECTION CAMPAIGN ACT OF 1971.

(a) GENERAL RULE.—The Federal Election Campaign Act of 1971 is amended by adding at the end the following:

''TITLE VIII—FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS

''Subtitle A—Presidential Election Campaign Fund

''Subtitle B—Presidential Primary Matching Payment Account''.

(b) TRANSFER OF PROVISIONS FROM INTERNAL REVENUE CODE.—

(1) Sections 9001 through 9012 of the Internal Revenue Code of 1986 are hereby transferred to the Federal Election Campaign Act of 1971, inserted after the heading for subtitle A of title VIII of such Act (as added by subsection (a)), and redesignated as sections 801 through 812, respectively.

(2) Sections 9031 through 9042 of the Internal Revenue Code of 1986 are hereby transferred to the Federal Election Campaign Act of 1971, inserted after the heading for subtitle B of title VIII of such Act, and redesignated as sections 831 through 842, respectively.

(c) CONFORMING AMENDMENTS TO INTERNAL REVENUE CODE.—The Internal Revenue Code of 1986 is amended—

(1) by striking ''section 9006(a)'' in section 6096(a) and inserting ''section 806(a) of the Federal Election Campaign Act of 1971'',

(2) by striking subtitle H, and

(3) by striking the item relating to subtitle H in the table of subtitles.

(d) CONFORMING AMENDMENTS TO TRANSFERRED SECTIONS.—

(1) Each section transferred under subsection (b) is amended by striking each reference contained therein to another provision transferred and redesignated by subsection (b) and inserting a reference to the redesignated provision.

(2) Title VIII of the Federal Election Campaign Act of 1971 (as amended by the foregoing provisions of this section) is amended—

(A) by striking ''This chapter'' each place it appears and inserting ''This subtitle'',

(B) by striking ''this chapter'' each place it appears and inserting ''this subtitle'',

(C) by striking ''of the Federal Election Campaign Act of 1971'' each place it appears,

(D) by striking ''chapter 96'' in section 803(e) and inserting ''subtitle B'',

(E) by striking ''section 6096'' in sections 806(a), 808(a), and 810(c) and inserting ''section 6096 of the Internal Revenue Code of 1986'', and

(F) by striking ''this subtitle'' in section 810(c) and inserting ''this title''.

(e) SAVINGS PROVISIONS.—

(1) CONTINUATION OF FUNDS.—The fund established under section 806(a) of the Federal Election Campaign Act of 1971 (as amended by this section) shall be treated for all purposes of law as a continuation of the fund established by section 9006(a) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of this Act). A similar rule shall apply to the accounts required under sections 808 and 837 of the Federal Election Campaign Act of 1971 (as so amended).

(2) REFERENCES TO TRANSFERRED PROVISIONS.—Any reference in any law, rule, regulation, or other official paper to a provision of the Internal Revenue Code of 1986 which was transferred under subsection (b) shall be treated as reference to the appropriate provision of the Federal Election Campaign Act of 1971.

TITLE X—HOUSE OF REPRESENTATIVES CAMPAIGN ELECTION FUNDING AND RELATED MATTERS

SEC. 1001. MAKE DEMOCRACY WORK ELECTION FUND.

The Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.), as amended by section 121, is further amended by adding at the end the following new title:

''TITLE VII—MAKE DEMOCRACY WORK ELECTION FUND

''SEC. 701. ESTABLISHMENT AND OPERATION OF THE FUND.

''(a) IN GENERAL.—There is hereby established on the books of the Treasury of the United States a special fund to be known as the Make Democracy Work Election Fund (hereinafter in this title referred to as the 'Fund'). The amounts designated for the Fund shall remain available without fiscal limitation for purposes of providing benefits under title VI and making expenditures for the administration of the Fund. The Secretary shall maintain such accounts in the Fund as may be required by this title or which the Secretary determines to be necessary to carry out the provisions of this title.

''(b) PAYMENTS UPON CERTIFICATION.—Upon receipt of a certification from the Commission under section 604, except as provided in subsection (c), the Secretary shall issue within 48 hours to an eligible candidate the amount of voter communication vouchers certified by the Commission to the eligible candidate out of the Fund.

''(c) REDUCTIONS IN PAYMENTS IF FUNDS INSUFFICIENT.—If on June 1, 1996, or on June 1 of a Federal election year thereafter, the Secretary determines that the moneys in the account are not, or may not be, sufficient to satisfy the full entitlement of all eligible candidates, the Secretary shall withhold from such payment the amount necessary to assure that each eligible candidate will receive a pro rata share of the candidate's full entitlement. Amounts so withheld shall be paid when the Secretary determines that there are sufficient moneys in the account to pay such amounts, or portions thereof, to all eligible candidates from whom amounts have been withheld, but, if there are not sufficient moneys in the account to satisfy the full entitlement of an eligible candidate, the amounts so withheld shall be paid in such manner that each eligible candidate receives a pro rata share of the full entitlement, except that—

''(1) in special elections, a candidate shall receive the full entitlement not a pro rata share; and

''(2) a candidate who receives vouchers from the Fund in response to an independent expenditure as provided in section 604(f) shall receive the full entitlement not a pro rata share.

''(d) NOTIFICATION.—The Secretary shall notify the Commission and each eligible candidate by registered mail of any reduction of any payment by reason of subsection (c).

''(e) REDEEMABILITY OF VOUCHERS.—Voter communication vouchers issued and used as provided in this section shall be redeemable at face value by the Secretary through the facilities of the Treasury of the United States. The Secretary shall issue regulations providing for the redemption of voter communication vouchers through financial insti-

tutions which are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. No financial institution may impose a fee or other charge for the redemption of voter communication vouchers.''.

TITLE XI—EFFECTIVE DATES; SEVERABILITY

SEC. 1101. EFFECTIVE DATE.

Except as otherwise provided in this Act, the amendments made by, and the provisions of, this Act shall take effect on the date of the enactment of this Act but shall not apply with respect to activities in connection with any election occurring before January 1, 1995.

SEC. 1102. SEVERABILITY.

(a) Except as provided in subsection (b), if any provision of this Act (including any amendment made by this Act), or the application of any such provision to any person or circumstance, is held invalid, the validity of any other provision of this Act, or the application of such provision to other persons and circumstances, shall not be affected thereby.

(b) If title VI of the Federal Election Campaign Act of 1971, section 315(i) through (j) (as added by this Act), or section 701 (as added by this Act), or any part thereof, is held to be invalid, all provisions of, and amendments made by title VI, section 315(i) through (j) of this Act, or section 701 of this Act shall be treated as invalid.

SEC. 1103. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.

(a) DIRECT APPEAL TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any final judgment, decree, or order issued by any court finding any provision of this Act, or amendment made by this Act to be unconstitutional.

(b) ACCEPTANCE AND EXPEDITION.—The Supreme Court shall, if it has not previously ruled on the question addressed in the ruling below, accept jurisdiction over, advance on the docket, and expedite the appeal to the greatest extent possible.

SEC. 1104. REGULATIONS.

The Federal Election Commission shall prescribe any regulations required to carry out the provisions of this Act within 12 months after the effective date of this Act.

SEC. 1105. BUDGET NEUTRALITY.

The provisions of this Act (other than this section) shall not be effective and shall not be considered to be an estimate required under the procedures specified in section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 until the enactment of revenue legislation effectuating section 701 of the Federal Election Campaign Act of 1971.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mrs. FOWLER moved to recommit the bill to the Committee on House Administration.

By unanimous consent, the previous question was ordered on the motion to recommit.

The question being put, viva voce,

Will the House recommit said bill?

The SPEAKER pro tempore, Mr. BEILENSON, announced that the nays had it.

Mrs. FOWLER demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the negative ..... { Yeas ..... 190 / Nays ..... 240 }

¶140.10 [Roll No. 604]

AYES—190

Andrews (TX)	Grandy	Paxon
Archer	Greenwood	Pickett
Armey	Gunderson	Pombo
Bachus (AL)	Hall (TX)	Porter
Baker (CA)	Hancock	Portman
Baker (LA)	Hansen	Poshard
Ballenger	Hastert	Pryce (OH)
Barrett (NE)	Hayes	Quillen
Bartlett	Hefley	Quinn
Barton	Herger	Ramstad
Bateman	Hobson	Ravenel
Bentley	Hoekstra	Regula
Bereuter	Hoke	Ridge
Bilirakis	Horn	Roberts
Bliley	Houghton	Rogers
Blute	Huffington	Rohrabacher
Boehner	Hunter	Ros-Lehtinen
Bonilla	Hutchinson	Rostenkowski
Bunning	Hutto	Roth
Burton	Hyde	Roukema
Buyer	Inglis	Rowland
Callahan	Inhofe	Royce
Calvert	Istook	Santorum
Camp	Jacobs	Sarpalius
Canady	Johnson (CT)	Saxton
Castle	Johnson, Sam	Schaefer
Coble	Kasich	Schiff
Collins (GA)	Kim	Sensenbrenner
Combest	King	Shaw
Costello	Kingston	Shuster
Cox	Knollenberg	Sisisky
Crane	Kolbe	Skeen
Crapo	Kyl	Skelton
Cunningham	Lambert	Smith (MI)
DeLay	Lazio	Smith (NJ)
Diaz-Balart	Leach	Smith (OR)
Dickey	Levy	Smith (TX)
Doolittle	Lewis (CA)	Snowe
Dornan	Lewis (FL)	Solomon
Dreier	Lightfoot	Spence
Duncan	Linder	Stearns
Dunn	Livingston	Stenholm
Emerson	Lloyd	Stump
English (OK)	Manzullo	Sundquist
Everett	McCandless	Synar
Ewing	McCollum	Talent
Fawell	McCrery	Tanner
Fields (TX)	McCurdy	Tauzin
Fish	McDade	Taylor (MS)
Fowler	McHugh	Taylor (NC)
Franks (CT)	McInnis	Thomas (CA)
Franks (NJ)	McKeon	Thomas (WY)
Frost	McMillan	Torkildsen
Gallegly	Meyers	Upton
Gallo	Mica	Vucanovich
Gekas	Michel	Walker
Geren	Miller (FL)	Walsh
Gilchrest	Molinari	Weldon
Gillmor	Moorhead	Wolf
Gingrich	Myers	Young (AK)
Goodlatte	Nussle	Young (FL)
Goodling	Orton	Zeliff
Goss	Oxley	
Grams	Packard	

NOES—240

Abercrombie	Bryant	Dicks
Ackerman	Byrne	Dingell
Andrews (ME)	Cantwell	Dixon
Andrews (NJ)	Cardin	Dooley
Applegate	Carr	Durbin
Bacchus (FL)	Chapman	Edwards (CA)
Baesler	Clay	Edwards (TX)
Barca	Clayton	Engel
Barcia	Clement	English (AZ)
Barlow	Clyburn	Eshoo
Barrett (WI)	Coleman	Evans
Becerra	Collins (IL)	Farr
Beilenson	Collins (MI)	Fazio
Berman	Condit	Fields (LA)
Bevill	Conyers	Filner
Bilbray	Cooper	Fingerhut
Bishop	Coppersmith	Flake
Blackwell	Coyne	Foglietta
Boehlert	Cramer	Ford (MI)
Bonior	Danner	Ford (TN)
Borski	Darden	Frank (MA)
Boucher	de la Garza	Furse
Brewster	Deal	Gejdenson
Brooks	DeFazio	Gephardt
Browder	DeLauro	Gibbons
Brown (CA)	Dellums	Gilman
Brown (FL)	Derrick	Glickman
Brown (OH)	Deutsch	Gonzalez
Gordon	McCloskey	Sangmeister
Green	McDermott	Sawyer
Gutierrez	McHale	Schenk
Hamburg	McKinney	Schroeder
Hamilton	McNulty	Schumer
Harman	Meehan	Scott
Hastings	Meek	Serrano
Hefner	Menendez	Sharp
Hilliard	Mfume	Shays
Hinchey	Miller (CA)	Shepherd
Hoagland	Mineta	Skaggs
Hochbrueckner	Minge	Slattery
Holden	Mink	Slaughter
Hoyer	Moakley	Smith (IA)
Hughes	Mollohan	Spratt
Inslee	Montgomery	Stark
Jefferson	Moran	Stokes
Johnson (GA)	Morella	Strickland
Johnson (SD)	Murphy	Studds
Johnson, E.B.	Murtha	Stupak
Johnston	Nadler	Swett
Kanjorski	Natcher	Swift
Kaptur	Neal (MA)	Tejeda
Kennedy	Neal (NC)	Thompson
Kennelly	Oberstar	Thornton
Kildee	Obey	Thurman
Kleczka	Olver	Torres
Klein	Ortiz	Torricelli
Klink	Owens	Towns
Klug	Pallone	Traficant
Kopetski	Parker	Tucker
Kreidler	Pastor	Unsoeld
LaFalce	Payne (NJ)	Valentine
Lancaster	Payne (VA)	Vellzquez
Lantos	Pelosi	Vento
LaRocco	Penny	Visclosky
Laughlin	Peterson (FL)	Volkmer
Lehman	Peterson (MN)	Washington
Levin	Petri	Waters
Lewis (GA)	Pickle	Watt
Lipinski	Pomeroy	Waxman
Long	Price (NC)	Wheat
Lowey	Rahall	Whitten
Machtley	Rangel	Williams
Maloney	Reed	Wilson
Mann	Reynolds	Wise
Manton	Richardson	Woolsey
Margolies-Mezvinsky	Roemer	Wyden
	Rose	Wynn
Markey	Roybal-Allard	Yates
Martinez	Rush	Zimmer
Matsui	Sabo	
Mazzoli	Sanders	

NOT VOTING—3

Allard	Clinger	Hall (OH)

So the motion to recommit was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. GEPHARDT, announced that the yeas had it.

Mr. THOMAS of California demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 255 / Nays ..... 175 }

¶140.11 [Roll No. 605]

YEAS—255

Abercrombie	Blute	Coleman
Ackerman	Boehlert	Collins (IL)
Andrews (ME)	Bonior	Collins (MI)
Andrews (NJ)	Borski	Condit
Andrews (TX)	Boucher	Conyers
Bacchus (FL)	Brooks	Cooper
Baesler	Browder	Coppersmith
Barca	Brown (CA)	Costello
Barcia	Brown (FL)	Coyne
Barlow	Brown (OH)	Cramer
Barrett (WI)	Bryant	Danner
Becerra	Byrne	Darden
Beilenson	Cantwell	de la Garza
Berman	Cardin	Deal
Bevill	Chapman	DeFazio
Bilbray	Clay	DeLauro
Bilirakis	Clayton	Dellums
Bishop	Clement	Derrick
Blackwell	Clyburn	Deutsch

Dicks
Dingell
Dixon
Dooley
Duncan
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Furse
Gejdenson
Gephardt
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Inslee
Jacobs
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klink
Klug
Kopetski
Kreidler
LaFalce
Lambert
Lantos
LaRocco
Laughlin
Leach
Lehman
Levin
Lewis (GA)
Lipinski
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Morella
Murphy
Murtha
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickle
Pomeroy
Poshard
Price (NC)
Quinn
Rahall
Rangel
Reed
Reynolds
Richardson
Ridge
Roemer
Rose
Rostenkowski
Roth
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Skaggs
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Snowe
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wise
Woolsey
Wyden
Wynn
Yates
Zimmer

NAYS—175

Allard
Applegate
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bliley
Boehner
Bonilla
Brewster
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Carr
Castle
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Dunn
Emerson
English (OK)
Everett
Ewing
Fawell
Fields (TX)
Fowler
Franks (CT)
Franks (NJ)
Frost
Gallegly
Gallo
Gekas
Geren
Gilchrest
Gillmor
Gingrich
Goodlatte
Goss
Grams
Grandy
Greenwood
Gunderson
Hancock
Hansen
Hastert
Hayes
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Johnson (CT)
Johnson, Sam
Kaptur
Kasich
Kim
King
Kingston
Knollenberg
Kolbe
Kyl
Lancaster
Lazio
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Lloyd
Manzullo
McCandless
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Myers
Nussle
Oxley
Packard
Paxon
Pickett
Pombo
Porter
Portman
Pryce (OH)
Quillen
Ramstad
Ravenel
Regula
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Rowland
Royce
Santorum
Sarpalius
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Towns
Traficant
Upton
Vucanovich
Walker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—3

Clinger
Goodling
Hall (OH)

So the bill was passed.

On motion of Mr. GEJDENSON, pursuant to House Resolution 319, the bill of the Senate (S. 3) entitled the ''Congressional Spending Limit and Election Reform Act of 1993''; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. GEJDENSON submitted the following amendment, which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 3, as passed by the House.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and benefits for congressional election campaigns, and for other purposes.''.

A motion to reconsider the votes whereby said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

By unanimous consent, H.R. 3, a similar House bill, was laid on the table.

¶140.12 AGREEING TO REQUEST FOR CONFERENCE ON H.R. 1025

Mr. DERRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 322):

Resolved, That upon the adoption of this resolution the House shall be considered to have taken the bill (H.R. 1025) to provide for a waiting period before the purchase of a handgun, and for the establishment of a national instant criminal background check system to be contacted by firearms dealers before the transfer of any firearm, with a Senate amendment thereto, from the Speaker's table, to have disagreed to the Senate amendment, and to have agreed to the request of the Senate for a conference thereon. The requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to a resolution reported on the legislative day of November 22, 1993, providing for the consideration or disposition of a conference report to accompany that bill.

When said resolution was considered.

After debate,

On motion of Mr. DERRICK, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. ANDREWS of Maine, announced that the yeas had it.

Mr. RIDGE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 249 / Nays 178

¶140.13 [Roll No. 606]

YEAS—249

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barrett (WI)
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Blackwell
Blute
Boehlert
Bonior
Borski
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Castle
Clay
Clayton
Clement
Clyburn
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Coyne
Cramer
Darden
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dixon
Dunn
Durbin
Edwards (CA)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (NJ)
Frost
Furse
Gallo
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Glickman
Gonzalez
Goodling
Gordon
Goss
Greenwood
Gutierrez
Hamburg
Hamilton
Harman
Hastings
Hefner
Hinchey
Hoagland
Hochbrueckner
Horn
Hoyer
Huffington
Hughes
Hutto
Hyde
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klein
Klug
Kreidler
LaFalce
Lambert
Lancaster
Lantos
Lazio
Leach
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McDade
McDermott
McHale
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Moran
Morella
Murphy
Murtha
Nadler
Neal (MA)
Neal (NC)
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Pickle
Porter
Price (NC)
Quinn
Ramstad
Rangel
Reed
Regula
Reynolds
Ridge
Roemer
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard

Rush	Spratt	Vento
Sabo	Stark	Visclosky
Sangmeister	Stokes	Walsh
Sawyer	Studds	Washington
Saxton	Swett	Waters
Schenk	Swift	Watt
Schroeder	Synar	Waxman
Schumer	Thompson	Weldon
Scott	Thornton	Wheat
Sensenbrenner	Torkildsen	Whitten
Serrano	Torres	Wolf
Sharp	Torricelli	Woolsey
Shaw	Towns	Wyden
Shays	Traficant	Wynn
Shepherd	Tucker	Yates
Skaggs	Unsoeld	Young (FL)
Slattery	Upton	Zimmer
Slaughter	Valentine	
Smith (NJ)	Velazquez	

NAYS—178

Allard	Gunderson	Paxon
Archer	Hall (TX)	Payne (VA)
Armey	Hancock	Penny
Bachus (AL)	Hansen	Peterson (MN)
Baker (CA)	Hastert	Petri
Baker (LA)	Hayes	Pickett
Ballenger	Hefley	Pombo
Barcia	Herger	Pomeroy
Barlow	Hilliard	Portman
Barrett (NE)	Hobson	Poshard
Bartlett	Hoekstra	Pryce (OH)
Barton	Hoke	Quillen
Bilirakis	Holden	Rahall
Bishop	Houghton	Ravenel
Bliley	Hunter	Richardson
Boehner	Hutchinson	Roberts
Bonilla	Inglis	Rogers
Boucher	Inhofe	Rohrabacher
Brewster	Inslee	Roth
Bunning	Istook	Royce
Burton	Johnson (GA)	Sanders
Buyer	Johnson, Sam	Santorum
Callahan	Kanjorski	Sarpalius
Calvert	Kasich	Schaefer
Camp	Kim	Schiff
Canady	King	Shuster
Coble	Kingston	Sisisky
Coleman	Klink	Skeen
Collins (GA)	Knollenberg	Skelton
Combest	Kolbe	Smith (IA)
Costello	Kopetski	Smith (MI)
Cox	Kyl	Smith (OR)
Crane	LaRocco	Smith (TX)
Crapo	Laughlin	Snowe
Cunningham	Levy	Solomon
Danner	Lewis (CA)	Spence
de la Garza	Lewis (FL)	Stearns
Deal	Lightfoot	Stenholm
DeLay	Linder	Strickland
Dickey	Livingston	Stump
Dingell	Manzullo	Stupak
Doolittle	McCandless	Sundquist
Dornan	McCollum	Talent
Dreier	McCrery	Tanner
Duncan	McHugh	Tauzin
Edwards (TX)	McInnis	Taylor (MS)
Emerson	McKeon	Taylor (NC)
Everett	Mica	Tejeda
Ewing	Mollohan	Thomas (CA)
Fields (TX)	Montgomery	Thomas (WY)
Franks (CT)	Moorhead	Thurman
Gallegly	Myers	Volkmer
Gekas	Natcher	Walker
Geren	Nussle	Williams
Gillmor	Oberstar	Wilson
Gingrich	Ortiz	Wise
Goodlatte	Orton	Young (AK)
Grams	Oxley	Zeliff
Grandy	Packard	
Green	Parker	

NOT VOTING—6

Chapman	Dooley	McCurdy
Clinger	Hall (OH)	Vucanovich

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶140.14 MOTION TO INSTRUCT CONFEREES—H.R. 1025

Mr. SENSENBRENNER submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 1025) to provide for a waiting period before the purchase of a handgun, and for the establishment of a national instant criminal background check system to be contacted by firearms dealers before the transfer of any firearms, to accept section 302(d) of the Senate amendment, and subsection (i)(1)(A) of the matter proposed to be added by section 302(e) of the Senate amendment.

After debate,

On motion of Mr. SENSENBRENNER, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. ANDREWS of Maine, announced that the yeas had it.

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶140.15 APPOINTMENT OF CONFEREES—H.R. 1025

Thereupon, the SPEAKER pro tempore, Mr. ANDREWS of Maine, by unanimous consent, announced the appointment of Messrs. BROOKS, HUGHES, SCHUMER, SENSENBRENNER, and GEKAS as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

¶140.16 PROVIDING FOR THE CONSIDERATION OF H.R. 3400

Mr. GORDON, by direction of the Committee on Rules, called up the following resolution (H. Res. 320):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3400) to provide a more effective, efficient, and responsive government. The first reading of the bill shall be dispensed with. All points or order against consideration of the bill are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the Majority Leader and the Minority Leader. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the committee amendments now printed in the bill, the amendment in the nature of a substitute specified in part 1 of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill, as so amended, shall be considered as the original bill for the purpose of further amendment. All points of order against the bill, as so amended, are waived. The bill, as so amended, shall be considered as read. No amendment to the bill, as so amended, shall be in order except those printed in part 2 of the report of the Committee on Rules. Each amendment may be offered and shall be disposed of only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable under the terms specified in the report, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as so amended, to the House with such further amendment as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill, as so amended, or to any further amendment in the nature of a substitute adopted in the Committee of the Whole. The previous question shall be considered as ordered on the bill, as so amended, and any amendment thereto to final passage without intervening motion except one motion to recommit, which may not include instructions.

Pending consideration of said resolution,

¶140.17 POINT OF ORDER

Mr. GOSS made a point of order against consideration of said resolution, and said:

''Mr. Speaker, I make a point of order against the consideration of House Resolution 320 on grounds that it is in violation of clause 4(b) of House rule XI, and ask to be heard on my point of order.

''Clause 4(b) of House rule XI provides that, and I quote:

The Committee on Rules shall not report any rule or order of business which * * * would prevent the motion to recommit from being made as provided in clause 4 of rule XVI.

''And clause 4 of rule XVI provides, and again I quote:

After the previous question shall have been ordered on the passage of a bill or joint resolution, one motion to recommit shall be in order, and the Speaker shall give preference in recognition for such purpose to a Member who is opposed to the bill or joint resolution.

''Mr. Speaker, as was said last night, those two clauses were adopted as amendments to House rules on March 15, 1909, when the minority party Democrats joined with a group of insurgent Republicans to guarantee greater minority rights.

''Mr. Speaker, I will not repeat all the arguments I made on the preceding rule which contained the same wording which denied any instructions on the motion to recommit.

''Nor will I quote all the Speakers I previously cited who affirmed that this motion was designed in 1909 to permit the minority to offer its final amendment to a bill.

''Nor will I explain again why the one Speaker who misruled on this point in 1934 was wrong and should be overturned.

''All this has been amply documented. All that remains to be done is for the present occupant of the Chair to admit that the single ruling in 1934 on which all the recent rulings have been based was erroneous and should be overturned.

''Just as the Supreme Court overturned a bad precedent in 1954 to guar-

antee minority rights, so too can this Speaker overturn a bad precedent and restore the minority rights that were originally established back in 1909.

''I strongly urge the Chair to sustain my point of order and thereby restore the rights that are rightfully ours according to the legislative history and intent behind this rule.''.

Mr. GORDON was recognized to speak to the point of order and said:

''Mr. Speaker, I do wish to be heard on this point of order.

''Mr. Speaker, the gentleman from Florida [Mr. GOSS] makes the point of order that the rule limits the motion to recommit and therefore, according to the minority, the rule violates clause 4(b) of rule XI.

''Mr. Speaker, I respectfully disagree. Rule XI prohibits the Rules Committee from reporting a rule that: 'Would prevent the motion to recommit from being made as provided in clause 4 of rule XVI.'

''Clause 4 of rule XVI addresses only the simple motion to recommit and requires the Speaker to give preference in recognition to a Member of the minority who is opposed to the measure.

''Nowhere are instructions mentioned. Mr. Speaker, so long as the minority's right to offer a simple motion to recommit is protected, a rule does not 'prevent the motion to recommit from being made as provided in clause 4 of rule XVI.' This is a well-established parliamentary point.

''I will not respect the precedents and history of this point. Suffice it to say that Speaker Rainey, on January 11, 1934 so ruled and was sustained on appeal.

''The parliamentary point has been reaffirmed several times in the last few years, by ruling of the Chair, and when the ruling was challenged, it has been sustained on appeal.

''The precedents are clear and unequivocal. If the rule does not deprive the minority of the right to offer a simple motion to recommit, then the rule does not violate the spirit or the letter of clause 4(b) of rule XI. Mr. Speaker, I urge that the point of order be overruled.''.

The SPEAKER pro tempore, Mr. ANDREWS of Maine, overruled the point of order, and said:

''The Chair is now prepared to rule. Under the precedents cited in section 729(C) of the House Rules and Manual, and as reiterated as recently as yesterday afternoon, the Chair overrules the point of order.''.

When said resolution was considered.

After debate,

On motion of Mr. GORDON, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. ANDREWS of Maine, announced that the yeas had it.

Mr. SOLOMON objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 247 / Nays 183

¶140.18 [Roll No. 607]

YEAS—247

Ackerman	Gordon	Olver
Andrews (ME)	Grandy	Ortiz
Andrews (NJ)	Green	Orton
Andrews (TX)	Hall (TX)	Oxley
Applegate	Hamburg	Pallone
Bacchus (FL)	Hamilton	Pastor
Baesler	Harman	Payne (NJ)
Barcia	Hastings	Payne (VA)
Barlow	Hayes	Penny
Barrett (WI)	Hilliard	Peterson (FL)
Barton	Hoagland	Peterson (MN)
Becerra	Hobson	Pickett
Beilenson	Hochbrueckner	Pickle
Berman	Hoekstra	Poshard
Bevill	Holden	Price (NC)
Bilbray	Houghton	Pryce (OH)
Bishop	Hoyer	Ramstad
Blackwell	Hughes	Reed
Bonior	Hutto	Regula
Borski	Inglis	Reynolds
Boucher	Inslee	Richardson
Brewster	Jefferson	Roemer
Brooks	Johnson (GA)	Rose
Browder	Johnson (SD)	Rowland
Brown (CA)	Johnson, E. B.	Roybal-Allard
Brown (FL)	Johnston	Rush
Brown (OH)	Kanjorski	Sabo
Byrne	Kaptur	Sanders
Cantwell	Kasich	Sangmeister
Carr	Kennedy	Sawyer
Chapman	Kennelly	Saxton
Clay	Kildee	Schaefer
Clayton	Kim	Schenk
Clement	Kleczka	Schroeder
Clyburn	Klein	Schumer
Collins (GA)	Klink	Scott
Collins (IL)	Klug	Serrano
Collins (MI)	Kopetski	Sharp
Condit	Kreidler	Shays
Conyers	LaFalce	Shepherd
Cooper	Lambert	Skaggs
Coppersmith	Lancaster	Slattery
Costello	Lantos	Slaughter
Coyne	LaRocco	Smith (IA)
Cramer	Laughlin	Smith (MI)
Danner	Levin	Stenholm
Darden	Lewis (GA)	Stokes
de la Garza	Lloyd	Strickland
Deal	Long	Studds
DeFazio	Lowey	Stupak
DeLauro	Maloney	Swett
DeLay	Mann	Swift
Derrick	Manton	Synar
Deutsch	Margolies-Mezvinsky	Tanner
Dicks	Markey	Tauzin
Dingell	Martinez	Taylor (MS)
Dixon	Matsui	Tejeda
Dooley	Mazzoli	Thompson
Edwards (CA)	McCrery	Thornton
Edwards (TX)	McCurdy	Thurman
Engel	McDermott	Torres
English (AZ)	McHale	Torricelli
Eshoo	McInnis	Towns
Evans	McKinney	Tucker
Ewing	McMillan	Unsoeld
Farr	McNulty	Valentine
Fawell	Meehan	Vento
Fazio	Meek	Visclosky
Fields (LA)	Menendez	Volkmer
Filner	Miller (FL)	Walsh
Fingerhut	Mineta	Waters
Flake	Minge	Watt
Foglietta	Moakley	Waxman
Ford (TN)	Montgomery	Wheat
Frank (MA)	Moran	Whitten
Frost	Murtha	Williams
Furse	Nadler	Wilson
Gejdenson	Natcher	Wise
Gephardt	Neal (MA)	Woolsey
Geren	Neal (NC)	Wyden
Gibbons	Oberstar	Wynn
Gingrich	Obey	Young (FL)
Glickman		

NAYS—183

Abercrombie	Armey	Baker (LA)
Allard	Bachus (AL)	Ballenger
Archer	Baker (CA)	Barca
Barrett (NE)	Gutierrez	Paxon
Bartlett	Hancock	Pelosi
Bateman	Hansen	Petri
Bentley	Hastert	Pombo
Bereuter	Hefley	Pomeroy
Bilirakis	Hefner	Porter
Blute	Herger	Portman
Boehlert	Hinchey	Quillen
Boehner	Hoke	Quinn
Bonilla	Horn	Rahall
Bryant	Huffington	Rangel
Bunning	Hunter	Ravenel
Burton	Hutchinson	Ridge
Buyer	Hyde	Roberts
Callahan	Inhofe	Rogers
Calvert	Istook	Rohrabacher
Camp	Jacobs	Ros-Lehtinen
Canady	Johnson (CT)	Rostenkowski
Cardin	Johnson, Sam	Roth
Castle	King	Roukema
Coble	Kingston	Royce
Coleman	Knollenberg	Santorum
Combest	Kolbe	Sarpalius
Cox	Kyl	Schiff
Crane	Lazio	Sensenbrenner
Crapo	Leach	Shaw
Cunningham	Lehman	Shuster
Dellums	Levy	Sisisky
Diaz-Balart	Lewis (CA)	Skeen
Dickey	Lewis (FL)	Skelton
Doolittle	Lightfoot	Smith (NJ)
Dornan	Linder	Smith (OR)
Dreier	Lipinski	Smith (TX)
Duncan	Livingston	Snowe
Dunn	Machtley	Solomon
Durbin	Manzullo	Spence
Emerson	McCandless	Spratt
English (OK)	McCloskey	Stark
Everett	McCollum	Stearns
Fields (TX)	McDade	Stump
Fish	McHugh	Sundquist
Ford (MI)	McKeon	Talent
Fowler	Meyers	Taylor (NC)
Franks (CT)	Mfume	Thomas (CA)
Franks (NJ)	Mica	Thomas (WY)
Gallegly	Michel	Torkildsen
Gallo	Miller (CA)	Traficant
Gekas	Mink	Upton
Gilchrest	Molinari	Velazquez
Gillmor	Mollohan	Vucanovich
Gilman	Moorhead	Walker
Gonzalez	Morella	Washington
Goodlatte	Murphy	Weldon
Goodling	Myers	Wolf
Goss	Nussle	Yates
Grams	Owens	Young (AK)
Greenwood	Packard	Zeliff
Gunderson	Parker	Zimmer

NOT VOTING—3

Bliley	Clinger	Hall (OH)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶140.19 MESSAGE FROM THE PRESIDENT

A message in writing the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

¶140.20 GOVERNMENT REFORM AND SAVINGS

The SPEAKER pro tempore, Mr. ANDREWS of Maine, pursuant to House Resolution 320 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3400) to provide a more effective, efficient, and responsive government.

The SPEAKER pro tempore, Mr. ANDREWS of Maine, by unanimous consent, designated Mr. HUGHES as Chairman of the Committee of the Whole; and after some time spent therein,

¶140.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Whole on the following amendment in the nature of a substitute submitted by Mr. SABO:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Government Reform and Savings Act of 1993''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title and table of contents.

TITLE I—DEPARTMENT OF AGRICULTURE

Subtitle A—Department of Agriculture Reorganization

Sec. 1001. Department of Agriculture reorganization.

Subtitle B—Eliminating Federal Support for Honey

Sec. 1101. Amendments to section 207 of the Agricultural Act of 1949.
Sec. 1102. Amendment to section 405 of the Agricultural Act of 1949.
Sec. 1103. Amendments to section 405A of the Agricultural Act of 1949.
Sec. 1104. Savings provision.

TITLE II—DEPARTMENT OF COMMERCE

Sec. 2001. Polar satellite convergence.

TITLE III—DEPARTMENT OF DEFENSE

Sec. 3001. Use of proceeds from the sale of recyclable materials at military installations.
Sec. 3002. Closure of the Uniformed Services University of the Health Sciences.
Sec. 3003. Streamlining and reorganization of the Corps of Engineers.

TITLE IV—DEPARTMENT OF ENERGY

Subtitle A—Alaska Power Administration Sale Authorization

Sec. 4001. Short title.
Sec. 4002. Sale of Snettisham and Eklutna hydroelectric projects.
Sec. 4003. Assessment of alternative options.

Subtitle B—Federal-Private Cogeneration of Electricity

Sec. 4101. Federal-private cogeneration of electricity.

Subtitle C—Power Marketing Administrations

Sec. 4201. Power Marketing Administrations refinancing study.
Sec. 4202. Bonneville Power Administration refinancing study.

Subtitle D—Termination of Advanced Liquid Metal Reactor Program

Sec. 4301. Termination of advanced liquid metal reactor program.

TITLE V—DEPARTMENT OF HEALTH AND HUMAN SERVICES

Sec. 5001. Study of methods to increase flexibility in contracting for Medicare claims processing.
Sec. 5002. Workers' compensation data exchange pilot projects.
Sec. 5003. Federal clearinghouse on death information.
Sec. 5004. Continuing disability reviews.

TITLE VI—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sec. 6001. Multifamily property disposition.
Sec. 6002. Section 235 mortgage refinancing.
Sec. 6003. Use of emergency assistance funds for residency in multifamily housing disposition projects.
Sec. 6004. Additional employees to facilitate disposition of FHA inventory properties.
Sec. 6005. HUD streamlining.

TITLE VII—DEPARTMENT OF THE INTERIOR

Sec. 7001. Improvement of Minerals Management Service royalty collection.
Sec. 7002. Phase out of Mineral Institute program.
Sec. 7003. Reorganization study of Bureau of Indian Affairs.
Sec. 7004. Termination of annual direct grant assistance

TITLE VIII—MISCELLANEOUS PROVISIONS

Sec. 8001. Limitation on certain annual pay adjustments.
Sec. 8002. Reduction of Federal full-time equivalent positions.

TITLE IX—DEPARTMENT OF LABOR

Sec. 9001. Deterrence of fraud and abuse in FECA program.
Sec. 9002. Enhancement of reemployment programs for Federal employees disabled in the performance of duty.
Sec. 9003. Wage determinations.
Sec. 9004. Elimination of filing requirements.

TITLE X—DEPARTMENT OF STATE AND UNITED STATES INFORMATION AGENCY

Sec. 10001. Improvement of efficiency of State Department activities.
Sec. 10002. Improvement of efficiency of USIA public diplomacy activities.

TITLE XI—DEPARTMENT OF TRANSPORTATION

Sec. 11001. Reemployment rights for certain merchant seamen.
Sec. 11002. Reform of essential air service program.
Sec. 11003. Airway science program.
Sec. 11004. Collegiate training initiative.

TITLE XII—DEPARTMENT OF VETERANS AFFAIRS

Subtitle A—Administrative Improvements

Sec. 12001. Elimination of hospital and nursing home bed capacity requirements.
Sec. 12002. Elimination of requirement for minimum number of personnel in the Office of Inspector General.
Sec. 12003. Modification of administrative reorganization authority.
Sec. 12004. Elimination of requirement for certain services in the Veterans Health Administration.
Sec. 12005. Modification of physician requirement for certain senior Veterans Health Administration officials.
Sec. 12006. Use of funds recovered from third parties.

Subtitle B—Closure of Certain Facilities

Sec. 12101. Closure of supply depots.
Sec. 12102. Waiver of other provisions.

Subtitle C—Provision of Information From the Medicare and Medicaid Coverage Data Bank to the Department of Veterans Affairs

Sec. 12201. Provision of data bank information to Department of Veterans Affairs.

Subtitle D—Veterans' Appeals Improvements

Sec. 12301. Board of Veterans' Appeals.
Sec. 12302. Decisions by the Board.
Sec. 12303. Technical correction.
Sec. 12304. Hearings.
Sec. 12305. Elimination of requirement for annual income questionnaires.

TITLE XIII—HUMAN RESOURCE MANAGEMENT

Sec. 13001. Federal workforce training.
Sec. 13002. SES annual leave accumulation.

TITLE XIV—REINVENTING SUPPORT SERVICES

Sec. 14001. Short title.
Sec. 14002. Transfer of functions.
Sec. 14003. Government publications to be available throughout the Government.
Sec. 14004. Inventory and furnishing of Government publications.
Sec. 14005. Additional responsibilities of the Public Printer.
Sec. 14006. Additional responsibilities of the Superintendent of Documents.
Sec. 14007. Depository libraries.
Sec. 14008. Definitions.

TITLE XV—STREAMLINING MANAGEMENT CONTROL

Sec. 15001. Authority to increase efficiency in reporting to Congress.

TITLE XVI—FINANCIAL MANAGEMENT

Sec. 16001. Short title.
Sec. 16002. Electronic payments.
Sec. 16003. Franchise funds and innovation funds.
Sec. 16004. Simplification of management reporting process.
Sec. 16005. Annual financial reports.
Sec. 16006. Authorization of appropriations for enhancing debt collection.
Sec. 16007. Contracts for collection services.
Sec. 16008. Notification to agencies of debtors' mailing addresses.
Sec. 16009. Contracts for collection services.
Sec. 16010. Adjusting civil monetary penalties for inflation.

TITLE XVII—RESCISSIONS OF BUDGET AUTHORITY

Sec. 17001. Short title.

Subtitle A—Department of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies

Subtitle B—Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies

Subtitle C—Energy and Water Development

Subtitle D—Foreign Operations, Export Financing, and Related Agencies

Subtitle E—Department of the Interior and Related Agencies

Subtitle F—Departments of Labor, Health and Human Services, Education, and Related Agencies

Subtitle G—Legislative Branch

Subtitle H—Department of Defense-Military

Subtitle I—Department of Transportation and Related Agencies

Subtitle J—Treasury, Postal Service, and General Government

Subtitle K—Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies

TITLE I—DEPARTMENT OF AGRICULTURE

Subtitle A—Department of Agriculture Reorganization

SEC. 1001. DEPARTMENT OF AGRICULTURE REORGANIZATION.

(a) IN GENERAL.—The Secretary of Agriculture shall (1) consolidate field, regional, and national offices within the Department of Agriculture and (2) reduce personnel by not less than 7,500 staff years, so as to achieve a reduction in expenditures by the Department of not less than $1,640,000,000 during the period fiscal years 1995 through 1999.

(b) AUTHORITIES.—In consolidating offices and reducing personnel as required by subsection (a), the Secretary shall take such action on the basis of the powers vested in the Secretary under other laws.

Subtitle B—Eliminating Federal Support for Honey

SEC. 1101. AMENDMENTS TO SECTION 207 OF THE AGRICULTURAL ACT OF 1949.

(a) Section 207(a) of the Agricultural Act of 1949 is amended to read as follows:

''(a) IN GENERAL.—For each of the 1991 through 1995 crops of honey, the price of

honey shall be supported through loans, purchases, or other operations, except that for the 1994 and 1995 crops, the price of honey shall be supported through recourse loans.

''(1) For the 1991 through 1993 crop years, the rate of support shall be not less than 53.8 cents per pound.

''(2) For the 1994 and 1995 crop years, the Secretary shall provide recourse loans to producers at such a rate that minimizes costs and forfeitures, except that such rate shall not be less than 44 cents a pound. Section 407 shall not be applicable to honey forfeited to the Commodity Credit Corporation under loans made under this paragraph.

''(3) A producer who fails to repay a loan made under paragraph (2) by the end of the crop year following the crop year for which such loan was made shall be ineligible for a loan under this section for subsequent crop years, except that the Secretary may waive this provision in any case where in which the Secretary determines that the failure to repay the loan was due to hardship conditions or circumstances beyond the control of the producer.''.

(b) Section 207(b) of the Agricultural Act of 1949 is amended by striking ''for a crop'' and inserting ''for the 1991 through 1993 crops''.

(c) Section 207(c) of the Agricultural Act of 1949 is amended by striking ''1998'' and inserting ''1993''.

(d) Section 207(e) of the Agricultural Act of 1949 is amended by—

(1) striking subparagraphs (D) through (G);

(2) inserting ''and'' after the semicolon following subparagraph (B); and

(3) changing the semicolon following subparagraph (C) to a period.

(e) Section 207(j) of the Agricultural Act of 1949 is amended by striking ''1998'' and inserting ''1995''.

SEC. 1102. AMENDMENT TO SECTION 405 OF THE AGRICULTURAL ACT OF 1949.

Section 405(a) of the Agricultural Act of 1949 is amended by striking in the first sentence ''section 405A'' and inserting ''sections 207 and 405A''.

SEC. 1103. AMENDMENTS TO SECTION 405A OF THE AGRICULTURAL ACT OF 1949.

Section 405A(a) of the Agricultural Act of 1949 is amended by striking all that follows ''1992 crop year,'' and inserting ''and $150,000 in the 1993 crop year.''.

SEC. 1104. SAVINGS PROVISION.

A provision of this subtitle may not affect the liability of any person under any provision of law as in effect before the effective date of the provision.

TITLE II—DEPARTMENT OF COMMERCE

SEC. 2001. POLAR SATELLITE CONVERGENCE.

The Departments of Commerce and Defense and the National Aeronautics and Space Administration shall propose a single operational polar environmental and weather satellite system, which meets national needs. It is the sense of Congress that such a proposed system, contingent on the provision of adequate resources to fully meet the national security interests of the United States, shall be operated as a civil system by the Department of Commerce. A detailed implementation plan shall be submitted to Congress by the Director of the Office of Science and Technology Policy, in consultation with the Departments of Commerce and Defense and the National Aeronautics and Space Administration, by April 30, 1994. The plan shall be designed to result in savings of up to $300 million in budget authority and up to $251 million in outlays between fiscal years 1994 and 1999. The National Aeronautics and Space Administration and the National Oceanic and Atmospheric Administration shall jointly develop a plan to implement a program modelled after the Operational Satellite Improvement Program for the purpose of making incremental enhancements in operational weather satellite systems. The goal of the plan shall be to achieve these enhancements in a cost effective manner by implementing procedures aimed at avoiding duplication of effort, cost overruns, and schedule delays. The Administrators of the National Aeronautics and Space Administration and the National Oceanic and Atmospheric Administration shall submit to Congress no later than April 30, 1994, a report detailing the elements of the plan and outlining savings in budget authority and budget outlays projected through fiscal year 1999.

TITLE III—DEPARTMENT OF DEFENSE

SEC. 3001. USE OF PROCEEDS FROM THE SALE OF RECYCLABLE MATERIALS AT MILITARY INSTALLATIONS.

Section 2577 of title 10, United States Code, is amended by striking out subsections (b) and (c) and inserting in lieu thereof the following:

''(b) Proceeds from the sale of recyclable materials at an installation shall be credited—

''(1) to funds available for operations and maintenance at that installation; and

''(2) at the discretion of the commander of the installation and if a balance remains available after such funds are credited, to the nonappropriated morale and welfare account of the installation to be used for any morale or welfare activity.''.

SEC. 3002. CLOSURE OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

(a) CLOSURE REQUIRED.—Section 2112 of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) by inserting ''and the closure'' after ''The development''; and

(B) by striking out ''subsection (a)'' and inserting in lieu thereof ''subsections (a) and (b)''; and

(2) by striking out subsection (b) and inserting in lieu thereof the following new subsection:

''(b)(1) Not later than September 30, 1998, the Secretary of Defense shall close the University. To achieve the closure of the University by that date, the Secretary shall begin to terminate the operations of the University beginning in fiscal year 1995. On account of the required closure of the University under this subsection, no students may be admitted to begin studies in the University after September 30, 1994.

''(2) Section 2687 of this title and any other provision of law establishing preconditions to the closure of any activity of the Department of Defense shall not apply with regard to the termination of the operations of the University or to the closure of the University pursuant to this subsection.''.

(b) FINAL GRADUATION OF STUDENTS.—Section 2112(a) of such title is amended—

(1) in the second sentence, by striking out '', with the first class graduating not later than September 21, 1982.'' and inserting in lieu thereof '', except that no students may be awarded degrees by the University after September 30, 1998.''; and

(2) by adding at the end the following new sentence: ''On a case-by-case basis, the Secretary of Defense may provide for the continued education of a person who, immediately before the closure of the University under subsection (b), was a student in the University and completed substantially all requirements necessary to graduate from the University.''.

(c) TERMINATION OF UNIVERSITY BOARD OF REGENTS.—Section 2113 of such title is amended by adding at the end the following new subsection:

''(k) The Board shall terminate on September 30, 1998, except that the Secretary of Defense may terminate the Board before that date as part of the termination of the operations of the University under section 2112(b) of this title.''.

(d) PROHIBITION ON RECIPROCAL AGREEMENTS.—Section 2114(e)(1) of such title is amended by adding at the end the following new sentence: ''No agreement may be entered into under this subsection after September 30, 1994, and all such agreements shall terminate not later than September 30, 1998.''.

(e) CONFORMING AMENDMENTS.—(1) Section 178 of such title, relating to the Henry M. Jackson Foundation for the Advancement of Military Medicine, is amended—

(A) in subsection (b), by inserting after ''Uniformed Services University of the Health Sciences,'' the following: ''or after the closure of the University, with the Department of Defense,'';

(B) in subsection (c)(1)(B), by striking out ''the Dean of the Uniformed Services University of the Health Sciences'' and inserting in lieu thereof ''a person designated by the Secretary of Defense''; and

(C) in subsection (g)(1), by inserting after ''Uniformed Services University of the Health Sciences,'' the following: ''or after the closure of the University, the Secretary of Defense''.

(2) Section 466(a)(1)(B) of the Public Health Service Act (42 U.S.C. 286a(a)(1)(B)), relating to the Board of Regents of the National Library of Medicine, is amended by striking out ''the Dean of the Uniformed Services University of the Health Sciences,''.

(f) CLERICAL AMENDMENTS.—(1) The heading of section 2112 of title 10, United States Code, is amended to read to read as follows:

''§2112. Establishment and closure of University''.

(2) The item relating to such section in the table of sections at the beginning of chapter 104 of such title is amended to read as follows:

''2112. Establishment and closure of University.''.

SEC. 3003. STREAMLINING AND REORGANIZATION OF CORPS OF ENGINEERS.

(a) DEVELOPMENT OF PLAN.—The Secretary of the Army shall develop a plan to reorganize the United States Army Corps of Engineers by reorganizing the headquarters offices, reducing the number of division offices, and restructuring the district functions so as to increase the efficiency of the United States Army Corps of Engineers and reduce staff and costs, with the goal of achieving approximately $50 million in net annual savings by fiscal year 1998.

(b) TRANSMITTAL AND APPROVAL OF PLAN.—The Secretary of the Army shall transmit to Congress the plan developed under subsection (a) for approval. The Secretary shall not implement such plan until it is approved by Congress.

TITLE IV—DEPARTMENT OF ENERGY

Subtitle A—Alaska Power Administration Sale Authorization

SEC. 4001. SHORT TITLE.

This subtitle may be cited as the ''Alaska Power Administration Sale Authorization Act''.

SEC. 4002. SALE OF SNETTISHAM AND EKLUTNA HYDROELECTRIC PROJECTS.

(a) The Secretary of Energy may sell the Snettisham Hydroelectric Project (referred to in this subtitle as ''Snettisham'') to the State of Alaska Power Authority (now known as the Alaska Industrial Development and Export Authority, and referred to in this subtitle as the ''Authority''), or its successor, in accordance with the February 10, 1989, Snettisham Purchase Agreement between the Alaska Power Administration of the United States Department of Energy and the Authority.

(b) The Secretary of Energy may sell the Eklutna Hydroelectric Project (referred to in this subtitle as ''Eklutna'') to the Municipality of Anchorage doing business as Municipal Light and Power, the Chugach Electric Association, Inc., and the Matanuska Electric Association, Inc. (referred to in this subtitle as ''Eklutna Purchasers'') in accordance with the August 2, 1989, Eklutna Purchase Agreement between the United States Department of Energy and the Eklutna Purchasers.

(c) The heads of other affected Federal departments and agencies, including the Secretary of the Interior, shall assist the Secretary of Energy in implementing the sales authorized by this Act.

(d) The Secretary of Energy shall deposit sale proceeds in the Treasury of the United States to the credit of miscellaneous receipts.

(e) There are authorized to be appropriated such sums as are necessary to prepare or acquire Eklutna and Snettisham assets for sale and conveyance, such preparations to provide sufficient title to ensure the beneficial use, enjoyment, and occupancy to the purchasers of the assets to be sold.

(f) No later than one year after both of the sales authorized in section 4002 have occurred, as measured by the Transaction Dates stipulated in the Purchase Agreements, the Secretary of Energy shall—

(1) complete the business of, and close out, the Alaska Power Administration; and

(2) prepare and submit to Congress a report documenting the sales.

SEC. 4003. ASSESSMENT OF ALTERNATIVE OPTIONS.

Before taking any action authorized in section 4002, the Secretary shall assess the feasibility of alternative options for maximizing the return to the Treasury from the sale of the Alaska Power Marketing Administration.

Subtitle B—Federal-Private Cogeneration of Electricity

SEC. 4101. FEDERAL-PRIVATE COGENERATION OF ELECTRICITY.

Section 804(2)(B) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(2)(B)) is amended by striking '', excluding any cogeneration process for other than a federally owned building or buildings or other federally owned facilities.''.

Subtitle C—Power Marketing Administrations

SEC. 4201. POWER MARKETING ADMINISTRATIONS REFINANCING STUDY.

The Administrators of the Southeastern, Southwestern and Western Area Power Administrations, in consultation with their respective firm power contractors and other interested parties (including, where applicable, the Bureau of Reclamation), shall study refinancing options, including modifications to existing financial and accounting practices that may be required to effectively and efficiently issue and manage revenue bonds. Such refinancing options shall, for each of the power systems they administer, satisfy their respective repayment obligations to the United States Treasury without causing any increase in their respective firm power rates beyond the rates that would otherwise result under rate-setting policies and practices in effect on October 1, 1993. The results of such studies shall be submitted no later than May 1, 1994, to the Speaker of the House of Representatives and the President of the Senate. Such studies shall be made within the limits of existing funding, or, if necessary, with funds contributed by firm power contractors.

SEC. 4202. BONNEVILLE POWER ADMINISTRATION REFINANCING STUDY.

The Administrator of the Bonneville Power Administration, in consultation with his customers and constituents, shall study options, including an open market buyout, a Treasury buyout, or any other reasonable alternative that would lead to a permanent resolution of the repayment reform initiative directed at Bonneville's appropriation investment repayment obligation. Such refinancing options shall satisfy the outstanding appropriated investment repayment obligation, without increasing rates beyond the rates that would otherwise result under rate-setting policies and practices in effect on October 1, 1993. The result of this study shall be submitted to the Speaker of the House of Representatives and the President of the Senate no later than March 1, 1994.

Subtitle D—Termination of Advanced Liquid Metal Reactor Program

SEC. 4301. TERMINATION OF ADVANCED LIQUID METAL REACTOR PROGRAM.

(a) IN GENERAL.—No amount of funds provided for any fiscal year may be obligated by the Secretary of Energy after the date of the enactment of this Act for the civilian portion of the advanced liquid metal reactor program, including—

(1) the program's promotion of the use of such reactors for the disposal of high-level radioactive waste; and

(2) Department of Energy support for regulatory applications to the Nuclear Regulatory Commission for design certification for advanced liquid metal reactors or related licensed facilities.

(b) PROHIBITION OF OTHER USES.—The amount of funds available on the date of the enactment of this Act for obligation for the program described in subsection (a) shall not be available for obligation by the Secretary of Energy after such date for any other purpose.

(c) EXCEPTION.—Subsections (a) and (b) shall not apply to obligations required to be incurred in terminating the program described in subsection (a).

TITLE V—DEPARTMENT OF HEALTH AND HUMAN SERVICES

SEC. 5001. STUDY OF METHODS TO INCREASE FLEXIBILITY IN CONTRACTING FOR MEDICARE CLAIMS PROCESSING.

(a) STUDY.—The Secretary of Health and Human Services shall conduct a study of methods to increase flexibility in contracting for claims processing under the medicare program and to otherwise simplify the administration of program, and shall include in the study an analysis of the feasibility and desirability of carrying out the following changes to the program:

(1) Permitting entities other than insurance companies to serve as carriers under part B of the program.

(2) Eliminating the requirement that fiscal intermediaries under part A of the program be nominated by a group or association of providers of services under such part.

(3) Increasing the Secretary's flexibility in assigning particular functions to fiscal intermediaries and carriers.

(4) Expanding the circumstances and standards under which the Secretary may terminate a contract with a fiscal intermediary or a carrier.

(5) Permitting the Secretary to require that a fiscal intermediary or a carrier meet data matching requirements for purposes of identifying situations in which medicare is a secondary payer.

(6) Eliminating the requirements that the Secretary make an additional payment to fiscal intermediaries and carriers for administrative costs.

(7) Eliminating the requirement that the Secretary enter into an agreement with a separate carrier for purposes of administering part B with respect to individuals entitled to benefits as qualified railroad retirement beneficiaries.

(b) REPORT.—Not later than April 30, 1994, the Secretary shall submit a report to the Committees on Energy and Commerce and Ways and Means of the House of Representatives and the Committee on Finance of the Senate on the study conducted under subsection (a), together with any recommendations of the Secretary for statutory revisions to increase flexibility and reduce costs in the administration of the medicare program.

SEC. 5002. WORKERS' COMPENSATION DATA EXCHANGE PILOT PROJECTS.

(a) IN GENERAL.—The Secretary is authorized to conduct pilot projects with not more than three States for the purpose of studying various means of obtaining on a timely and accurate basis such information relating to benefits paid on account of total or partial disability under the States' workers' compensation plan as the Secretary may require for the purpose of carrying out section 224 of the Social Security Act.

(b) REIMBURSEMENT OF STATE COSTS.—A State that participates in a project conducted pursuant to subsection (a) may be paid by the Secretary, from amounts available pursuant to subsection (e), the reasonable costs of such participation.

(c) EVALUATION.—The Secretary shall evaluate each project conducted pursuant to subsection (a) and shall apply the findings, as appropriate, to agreements negotiated pursuant to subsection (h)(2) of such section 224.

(d) DEADLINE FOR COMMENCEMENT OF PROJECTS.—No pilot project authorized by subsection (a) may be commenced after the expiration of the 5-year period beginning on the date of enactment of this section.

(e) FUNDING.—Expenditures for pilot projects conducted pursuant to subsection (a) may be made from the Federal Disability Insurance Trust Fund and the Old-Age and Survivors Insurance Trust Fund, as determined appropriate by the Secretary.

(f) EFFECTIVE DATE.—This section shall be effective upon enactment.

SEC. 5003. FEDERAL CLEARINGHOUSE ON DEATH INFORMATION.

(a) CLEARINGHOUSE DESIGNATION.—The heading for section 205(r) of the Social Security Act is amended to read as follows: ''Clearinghouse on Death Information''.

(b) ACQUISITION OF DISCLOSABLE DEATH INFORMATION FROM STATES.—

(1) Section 205(r)(1)(A) of the Social Security Act is amended by striking ''to furnish the Secretary periodically with'' and inserting ''to furnish periodically to the Secretary, for use in carrying out subparagraph (B) and paragraphs (3) and (4),''.

(2)(A) Notwithstanding clause (ii) of section 6103(d)(4)(B) of the Internal Revenue Code of 1986 (as added by section 13444(a) of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66)), in order for a contract requiring a State to furnish the Secretary of Health and Human Services information concerning individuals with respect to whom death certificates (or equivalent documents maintained by the State or any subdivision thereof) have been officially filed with it to meet the requirements of such section 6103(d)(4)(B), such contract shall authorize the Secretary to use such information and to redisclose such information to any Federal agency or any agency of a State or political subdivision in accordance with section 205(r) of the Social Security Act.

(B) The provisions of subparagraph (A) of this paragraph and, notwithstanding subparagraph (C) of section 6103(d)(4) of the Internal Revenue Code of 1986 (as added by section 13444(a) of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66)), the provisions of subparagraphs (A) and (B) of such section 6103(d)(4) shall apply to all States, regardless of whether they were, on

July 1, 1993, pursuant to a contract, furnishing the Secretary of Health and Human Services information concerning individuals with respect to whom death certificates (or equivalent documents maintained by the State or any subdivision thereof) have been officially filed with it.

(C) Subparagraphs (A) and (B) of this paragraph shall take effect at the same time as the amendment made by section 13444(a) of the Omnibus Budget Reconciliation Act of 1993 takes effect.

(D) For the purpose of applying the special rule contained in section 13444(b)(2) of the Omnibus Budget Reconciliation Act of 1993, the reference in such section to section 6103(d)(4)(B) of the Internal Revenue Code of 1986 shall be deemed to include a reference to subparagraph (A) of this paragraph.

(c) PAYMENT TO STATES FOR DEATH INFORMATION.—Section 205(r)(2) of the Social Security Act is amended—

(1) by striking ''the reasonable costs'' and inserting ''a reasonable amount''; and

(2) by striking ''transcribing and transmitting'' and inserting ''furnishing''.

(d) FEE FOR CLEARINGHOUSE INFORMATION.—

(1) Section 205(r)(3) of the Social Security Act is amended by striking out ''if'' and all that follows, and inserting '', provided that such agency agrees to pay the fees set by the Secretary pursuant to paragraph (8).''.

(2) Section 205(r)(4) of the Social Security Act is amended—

(A) by inserting ''and political subdivisions'' after ''States'' the first place such term appears;

(B) by striking ''the States'' and inserting ''any State, political subdivision, or combination thereof''; and

(C) by striking ''if'' and all that follows and inserting ''provided such States and political subdivisions agree to pay the fees set by the Secretary pursuant to paragraph (8).''.

(3) Section 205(r) of the Social Security Act is amended by adding at the end a new paragraph as follows: ''(8) The Secretary shall establish fees for the disclosure of information pursuant to this subsection. Such fees shall be in amounts sufficient to cover all costs (including indirect costs) associated with the Secretary's responsibilities under this subsection. Fees collected pursuant to this paragraph shall remain available, without fiscal year limitation, to the Secretary to cover the administrative costs of carrying out this subsection.''.

(e) TECHNICAL ASSISTANCE.—Section 205(r) of the Social Security Act is amended by adding at the end (after the paragraph added by subsection (d)(3)) the following new paragraph:

''(9) The Secretary may provide to any Federal or State agency that provides Federally funded benefits, upon the request of such agency, technical assistance on the effective collection, dissemination, and use of death information available under this subsection for the purpose of ensuring that such benefits are not erroneously paid to deceased individuals.''.

(f) TECHNICAL AMENDMENT.—Section 205(r) of the Social Security Act is amended by adding at the end (after the paragraph added by subsection (e)) the following new paragraph:

''(10) For purposes of this subsection, the term 'Federally funded benefit' means any payment funded in whole or in part by the Federal Government.''.

(g) EFFECTIVE DATE.—Except as otherwise provided, the amendments made by this section shall take effect upon their enactment.

SEC. 5004. CONTINUING DISABILITY REVIEWS.

Section 201(g)(1)(A) of the Social Security Act is amended by adding at the end of the paragraph the following sentence: ''From funds provided pursuant to this subparagraph for the following fiscal years, not less than the following amounts shall be available only for conducting continuing disability reviews and related workloads: for fiscal year 1994, $46 million; for fiscal year 1995, $47,200,000; for fiscal year 1996, $48,500,000; for fiscal year 1997, $49,800,000; for fiscal year 1998, $51,100,000; and for fiscal year 1999, $52,500,000.''.

TITLE VI—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SEC. 6001. MULTIFAMILY PROPERTY DISPOSITION.

(a) FINDINGS.—The Congress finds that—

(1) the portfolio of multifamily housing project mortgages insured by the FHA is severely troubled and at risk of default, requiring the Secretary to increase loss reserves from $5,500,000,000 in 1991 to $11,900,000,000 in 1992 to cover estimated future losses;

(2) the inventory of multifamily housing projects owned by the Secretary has more than tripled since 1989, and, by the end of 1993, may exceed 75,000 units;

(3) the cost to the Federal Government of owning and maintaining multifamily housing projects escalated to approximately $250,000,000 in fiscal year 1992;

(4) the inventory of multifamily housing projects subject to mortgages held by the Secretary has increased dramatically, to more than 2,400 mortgages, and approximately half of these mortgages, with over 230,000 units, are delinquent;

(5) the inventory of insured and formerly insured multifamily housing projects is rapidly deteriorating, endangering tenants and neighborhoods;

(6) over 5 million families today have a critical need for housing that is affordable and habitable; and

(7) the current statutory framework governing the disposition of multifamily housing projects effectively impedes the Government's ability to dispose of properties, protect tenants, and ensure that projects are maintained over time.

(b) MANAGEMENT AND DISPOSITION OF MULTIFAMILY HOUSING PROJECTS.—Section 203 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z–11) is amended to read as follows:

''SEC. 203. MANAGEMENT AND DISPOSITION OF MULTIFAMILY HOUSING PROJECTS.

''(a) GOALS.—The Secretary of Housing and Urban Development shall manage or dispose of multifamily housing projects that are owned by the Secretary or that are subject to a mortgage held by the Secretary in a manner that—

''(1) is consistent with the National Housing Act and this section;

''(2) will protect the financial interests of the Federal Government; and

''(3) will, in the least costly fashion among reasonable available alternatives, further the goals of—

''(A) preserving housing so that it can remain available to and affordable by low-income persons;

''(B) preserving and revitalizing residential neighborhoods;

''(C) maintaining existing housing stock in a decent, safe, and sanitary condition;

''(D) minimizing the involuntary displacement of tenants;

''(E) maintaining housing for the purpose of providing rental housing, cooperative housing, and homeownership opportunities for low-income persons; and

''(F) minimizing the need to demolish multifamily housing projects.

The Secretary, in determining the manner in which a project is to be managed or disposed of, may balance competing goals relating to individual projects in a manner that will further the purposes of this section.

''(b) DEFINITIONS.—For purposes of this section:

''(1) MULTIFAMILY HOUSING PROJECT.—The term 'multifamily housing project' means any multifamily rental housing project which is, or prior to acquisition by the Secretary was, assisted or insured under the National Housing Act, or was subject to a loan under section 202 of the Housing Act of 1959.

''(2) SUBSIDIZED PROJECT.—The term 'subsidized project' means a multifamily housing project that, immediately prior to the assignment of the mortgage on such project to, or the acquisition of such mortgage by, the Secretary, was receiving any of the following types of assistance:

''(A) Below market interest rate mortgage insurance under the proviso of section 221(d)(5) of the National Housing Act.

''(B) Interest reduction payments made in connection with mortgages insured under section 236 of the National Housing Act.

''(C) Direct loans made under section 202 of the Housing Act of 1959.

''(D) Assistance in the form of—

''(i) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965,

''(ii) additional assistance payments under section 236(f)(2) of the National Housing Act,

''(iii) housing assistance payments made under section 23 of the United States Housing Act of 1937 (as in effect before January 1, 1975), or

''(iv) housing assistance payments made under section 8 of the United States Housing Act of 1937 (excluding payments made for tenant-based assistance under section 8),

if (except for purposes of section 183(c) of the Housing and Community Development Act of 1987) such assistance payments are made to more than 50 percent of the units in the project.

''(3) FORMERLY SUBSIDIZED PROJECT.—The term 'formerly subsidized project' means a multifamily housing project owned by the Secretary that was a subsidized project immediately prior to its acquisition by the Secretary.

''(4) UNSUBSIDIZED PROJECT.—The term 'unsubsidized project' means a multifamily housing project owned by the Secretary that is not a subsidized project or a formerly subsidized project.

''(5) AFFORDABLE.—A unit shall be considered affordable if—

''(A) for units occupied—

''(i) by very low-income families, the rent does not exceed 30 percent of 50 percent of the area median income, as determined by the Secretary, with adjustments for smaller and larger families, except that the Secretary may establish the rent based on an amount higher or lower than 50 percent of the median for the area on the basis of the Secretary's findings that such variation is necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes; and

''(ii) by low-income families other than very low-income families, the rent does not exceed 30 percent of 80 percent of the area median income, as determined by the Secretary, except that the Secretary may establish the rent based on an amount higher or lower than 80 percent of the median for the area on the basis of the Secretary's findings that such variation is necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes; or

''(B) the unit, or the family residing in the unit, is receiving assistance under section 8 of the United States Housing Act of 1937.

''(6) LOW-INCOME FAMILIES AND VERY LOW-INCOME FAMILIES.—The terms 'low-income families' and 'very low-income families' shall have the meanings given the terms in section 3(b) of the United States Housing Act of 1937.

''(7) PREEXISTING TENANT.—The term 'preexisting tenant' means, with respect to a multifamily housing project, a family that—

''(A) resides in a unit in the project; and

''(B) immediately before foreclosure or acquisition of the project by the Secretary, was residing in a unit in the project.

''(8) MARKET AREA.—The term 'market area' means a market area determined by the Secretary for purposes of establishing fair market rentals under section 8(c) of the United States Housing Act of 1937.

''(9) SECRETARY.—The term 'Secretary' means the Secretary of Housing and Urban Development.

''(c) MANAGEMENT OR DISPOSITION OF PROPERTY.—

''(1) DISPOSITION TO PURCHASERS.—The Secretary may, in carrying out this section, dispose of a multifamily housing project owned by the Secretary on a negotiated, competitive bid, or other basis, on such terms as the Secretary deems appropriate considering the low-income character of the project and the market area in which the project is located and the requirements of subsection (a), to a purchaser determined by the Secretary to be capable of—

''(A) satisfying the conditions of the disposition;

''(B) implementing a sound financial and physical management program that is designed to enable the project to meet anticipated operating and repair expenses to ensure that the project will remain in decent, safe, and sanitary condition;

''(C) responding to the needs of the tenants and working cooperatively with tenant organizations;

''(D) providing adequate organizational, staff, and financial resources to the project; and

''(E) meeting such other requirements as the Secretary may determine.

''(2) CONTRACTING FOR MANAGEMENT SERVICES.—The Secretary may, in carrying out this section—

''(A) contract for management services for a multifamily housing project that is owned by the Secretary (or for which the Secretary is mortgagee in possession), on a negotiated, competitive bid, or other basis at a price determined by the Secretary to be reasonable, with a manager the Secretary has determined is capable of—

''(i) implementing a sound financial and physical management program that is designed to enable the project to meet anticipated operating and maintenance expenses to ensure that the project will remain in decent, safe, and sanitary condition;

''(ii) responding to the needs of the tenants and working cooperatively with tenant organizations;

''(iii) providing adequate organizational, staff, and other resources to implement a management program determined by the Secretary; and

''(iv) meeting such other requirements as the Secretary may determine;

''(B) require the owner of a multifamily housing project that is subject to a mortgage held by the Secretary to contract for management services for the project in the manner described in subparagraph (A); and

''(C) contract for management of such properties with nonprofit organizations and public agencies, including public housing authorities.

''(d) MAINTENANCE OF HOUSING PROJECTS.—

''(1) HOUSING PROJECTS OWNED BY THE SECRETARY.—In the case of multifamily housing projects that are owned by the Secretary (or for which the Secretary is mortgagee in possession), the Secretary shall—

''(A) to the greatest extent possible, maintain all such occupied projects in a decent, safe, and sanitary condition;

''(B) to the greatest extent possible, maintain full occupancy in all such projects; and

''(C) maintain all such projects for purposes of providing rental or cooperative housing.

''(2) HOUSING PROJECTS SUBJECT TO A MORTGAGE HELD BY SECRETARY.—In the case of any multifamily housing project that is subject to a mortgage held by the Secretary, the Secretary shall require the owner of the project to carry out the requirements of paragraph (1).

''(3) HOUSING STANDARDS.—In disposing of any multifamily housing project under this section, the Secretary shall enter into an agreement with the purchaser under which the purchaser agrees that the project will be rehabilitated so that it is in compliance with, and will be maintained in compliance with, any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of the housing and any such standards established by the Secretary.

''(e) REQUIRED ASSISTANCE.—In disposing of any multifamily housing property under this section, the Secretary shall take, separately or in combination, one or more of the following actions:

''(1) CONTRACT WITH OWNER FOR PROJECT-BASED ASSISTANCE.—In the case of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure or after sale by the Secretary, the Secretary may enter into contracts under section 8 of the United States Housing Act of 1937 (to the extent budget authority is available) with owners of the projects, subject to the following requirements:

''(A) SUBSIDIZED OR FORMERLY SUBSIDIZED PROJECTS RECEIVING MORTGAGE-RELATED ASSISTANCE.—In the case of a subsidized or formerly subsidized project referred to in subparagraphs (A) through (C) of subsection (b)(2)—

''(i) the contract shall be sufficient to assist at least all units covered by an assistance contract under any of the authorities referred to in subsection (b)(2)(D) before acquisition, unless the Secretary acts pursuant to the provisions of subparagraph (C);

''(ii) the contract shall provide that, when a vacancy occurs in any unit in the project requiring project-based rental assistance pursuant to this subparagraph that is occupied by a family who is not eligible for assistance under such section 8, the owner shall lease the available unit to a family eligible for assistance under such section 8; and

''(iii) the Secretary shall take actions to ensure that any unit in any such project that does not otherwise receive project-based assistance under this subparagraph remains available and affordable for the remaining useful life of the project, as defined by the Secretary; to carry out this clause, the Secretary may require purchasers to establish use or rent restrictions maintaining the affordability of such units.

''(B) SUBSIDIZED OR FORMERLY SUBSIDIZED PROJECTS RECEIVING RENTAL ASSISTANCE.—In the case of a subsidized or formerly subsidized project referred to in subsection (b)(2)(D) that is not subject to subparagraph (A)—

''(i) the contract shall be sufficient to assist at least all units in the project that are covered, or were covered immediately before foreclosure on or acquisition of the project by the Secretary, by an assistance contract under any of the provisions referred to in such subsection, unless the Secretary acts pursuant to provisions of subparagraph (C); and

''(ii) the contract shall provide that, when a vacancy occurs in any unit in the project requiring project-based rental assistance pursuant to this subparagraph that is occupied by a family who is not eligible for assistance under such section 8, the owner shall lease the available unit to a family eligible for assistance under such section 8.

''(C) EXCEPTIONS.—In lieu of providing project-based assistance under subparagraph (A)(i) or (B)(i) for a project, the Secretary may require certain units in unsubsidized projects to contain use restrictions providing that such units will be available to and affordable by very low-income families for the remaining useful life of the project, as defined by the Secretary, if—

''(i) the Secretary provides an increase in project-based assistance for very low-income persons for units within unsubsidized projects located within the same market area as the project otherwise required to be assisted with project-based assistance under subparagraph (A) or (B) that is at least equivalent to the units otherwise required to be so assisted; and

''(ii) upon disposition of the project, low-income families residing in units otherwise required to be assisted with project-based assistance under subparagraph (A) or (B) receive tenant-based assistance under such section 8.

''(D) UNSUBSIDIZED PROJECTS.—Notwithstanding actions taken pursuant to subparagraph (C), in the case of unsubsidized projects, the contract shall be sufficient to provide—

''(i) project-based rental assistance for all units that are covered, or were covered immediately before foreclosure or acquisition, by an assistance contract under—

''(I) the new construction and substantial rehabilitation program under section 8(b)(2) of the United States Housing Act of 1937 (as in effect before October 1, 1983);

''(II) the property disposition program under section 8(b) of such Act;

''(III) the project-based certificate program under section 8 of such Act;

''(IV) the moderate rehabilitation program under section 8(e)(2) of such Act;

''(V) section 23 of such Act (as in effect before January 1, 1975);

''(VI) the rent supplement program under section 101 of the Housing and Urban Development Act of 1965; or

''(VII) section 8 of the United States Housing Act of 1937, following conversion from assistance under section 101 of the Housing and Urban Development Act of 1965; and

''(ii) tenant-based assistance under section 8 of the United States Housing Act of 1937 for families that are preexisting tenants of the project in units that, immediately before foreclosure or acquisition of the project by the Secretary, were covered by an assistance contract under the loan management set-aside program under section 8(b) of the United States Housing Act of 1937 at such time.

''(2) ANNUAL CONTRIBUTION CONTRACTS FOR TENANT-BASED ASSISTANCE.—In the case of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure or after sale by the Secretary, the Secretary may enter into annual contribution contracts with public housing agencies to provide tenant-based assistance under section 8 of the United States Housing Act of 1937 on behalf of all low-income families who, on the date that the project is acquired by the purchaser, reside in the project and are eligible for such assistance, subject to the following requirements:

''(A) REQUIREMENT OF SUFFICIENT AFFORDABLE HOUSING IN AREA.—The Secretary may not take action under this paragraph unless the Secretary determines that there is available in the area an adequate supply of habitable, affordable housing for very low-income families and other low-income families.

''(B) LIMITATION FOR SUBSIDIZED AND FORMERLY SUBSIDIZED PROJECTS.—The Secretary may not take actions under this paragraph in connection with units in subsidized or for-

merly subsidized projects for more than 10 percent of the aggregate number of units in such projects disposed of by the Secretary annually.

''(C) PROVISION OF PROJECT-BASED ASSISTANCE UNDER CHANGED CIRCUMSTANCES.—The Secretary shall, to the extent such amounts are available, provide project-based assistance under section 8 of the United States Housing Act of 1937 for any units in a project for which the Secretary has provided tenant-based assistance under this paragraph if, and only to the extent that, the owner demonstrates to the satisfaction of the Secretary within 24 months after the date of acquisition by the owner that—

''(i) the provision of such project-based assistance (I) is necessary to maintain the financial viability of the project because of changes occurring after such acquisition that are beyond the control of the owner, and (II) may reasonably be expected to maintain such financial viability; or

''(ii) sufficient habitable, affordable housing for very low-income families and other low-income families is not available in the market area in which the project is located. Assistance provided pursuant to this subparagraph shall have a term of not more than 5 years.

''(3) OTHER ASSISTANCE.—

''(A) IN GENERAL.—In accordance with the authority provided under the National Housing Act, the Secretary may reduce the selling price, apply use or rent restrictions on certain units, or provide other financial assistance to the owners of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure, or after sale by the Secretary, on terms that ensure that—

''(i) at least the units in the project otherwise required to receive project-based assistance pursuant to subparagraphs (A), (B), or (D) of paragraph (1) are available to and affordable by low-income persons; and

''(ii) for the remaining useful life of the project, as defined by the Secretary, there shall be in force such use or rent restrictions as the Secretary may prescribe.

''(B) VERY LOW-INCOME TENANTS.—If, as a result of actions taken pursuant to this paragraph, the rents charged to any very low-income families residing in the project who are otherwise required (pursuant to subparagraph (A), (B), or (D) of paragraph (1)) to receive project-based assistance under section 8 of the United States Housing Act of 1937 exceed the amount payable as rent under section 3(a) of the United States Housing Act of 1937, the Secretary shall provide assistance under section 8 of such Act to such families.

''(4) TRANSFER FOR USE UNDER OTHER PROGRAMS OF SECRETARY.—

''(A) IN GENERAL.—The Secretary may transfer a multifamily housing project—

''(i) to a public housing agency for use of the project as public housing; or

''(ii) to an entity eligible to own or operate housing under assisted section 202 of the Housing Act of 1959 or under section 811 of the Cranston-Gonzalez National Affordable Housing Act for use as supportive housing under either of such sections.

''(B) REQUIREMENTS FOR AGREEMENT.—An agreement providing for the transfer of a project described in subparagraph (A) shall—

''(i) contain such terms, conditions, and limitations as the Secretary determines appropriate, including requirements to ensure use of the project as public housing, supportive housing under section 202 of the Housing Act of 1959, or supportive housing under section 811 of the Cranston-Gonzalez National Affordable Housing Act, as applicable; and

''(ii) ensure that no tenant of the project will be displaced as a result of actions taken under this paragraph.

''(f) DISCRETIONARY ASSISTANCE.—In addition to the actions taken under subsection (e) for a multifamily housing project, the Secretary may take any of the following actions:

''(1) SHORT-TERM LOANS.—The Secretary may provide a short-term loan to facilitate the sale of a multifamily housing project to a nonprofit organization or a public agency if—

''(A) authority for such loans is provided in advance in an appropriation Act;

''(B) such loan has a term of not more than 5 years;

''(C) the Secretary determines, based upon documentation provided to the Secretary, that the borrower has obtained a commitment of permanent financing to replace the short-term loan from a lender who meets standards established by the Secretary; and

''(D) the terms of such loan is consistent with prevailing practices in the marketplace or the provision of such loan results in no cost to the Government, as defined in section 502 of the Congressional Budget Act of 1974.

''(2) TENANT-BASED ASSISTANCE.—The Secretary may make available tenant-based assistance under section 8 of the United States Housing Act of 1937 to very low-income families residing in a multifamily housing project that do not otherwise qualify for project-based assistance.

''(3) ALTERNATIVE USES.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, after providing notice to and an opportunity to comment by existing tenants, the Secretary may allow not more than—

''(i) 10 percent of the total number of units in multifamily housing projects that are disposed of by the Secretary during any 1-year period to be made available for uses other than rental or cooperative uses, including low-income homeownership opportunities, or in any particular project, community space, office space for tenant or housing-related service providers or security programs, or small business uses, if such uses benefit the tenants of the project; and

''(ii) 5 percent of the total number of units in multifamily housing projects that are disposed of by the Secretary during any 1-year period to be used in any manner, if the Secretary and the unit of general local government or area-wide governing body determine that such use will further fair housing, community development, or neighborhood revitalization goals.

''(B) DISPLACEMENT PROTECTION.—The Secretary may take actions under subparagraph (A) only if—

''(i) tenant-based rental assistance under section 8 of the United States Housing Act of 1937 is made available to each eligible family residing in the project that is displaced as a result of such actions; and

''(ii) the Secretary determines that sufficient habitable, affordable rental housing is available in the market area in which the project is located to allow use of such assistance.

''(g) REQUIRED ASSISTANCE FOR CERTAIN PROJECTS.—In disposing under this section of multifamily housing projects, the Secretary shall, to the extent that such assistance is available—

''(1) in the case of any project located in a market area in which habitable, affordable rental housing for very low-income families is not sufficiently available, provide tenant-based or project-based rental assistance under section 8 of the United States Housing Act of 1937 (depending on the circumstances of the family) to very low-income families who are preexisting tenants of the project and do not otherwise qualify for project-based assistance; and

''(2) provide project-based assistance for very low-income families who are preexisting tenants of the project to the extent that such assistance is necessary to maintain the financial viability of the project and is reasonably expected to maintain such financial viability.

''(h) RENT RESTRICTIONS.—

''(1) AUTHORITY FOR USE IN UNSUBSIDIZED PROJECTS.—In carrying out the goals specified in subsection (a), the Secretary may require certain units in unsubsidized projects to be subject to use or rent restrictions providing that such units will be available to and affordable by very low-income persons for the remaining useful life of the property, as defined by the Secretary.

''(2) REQUIREMENT REGARDING SUBSIDIZED AND FORMERLY SUBSIDIZED PROJECTS.—In disposing under this section of any subsidized or formerly subsidized multifamily housing project, the Secretary shall require rent restrictions providing that any unassisted very low-income family who resides in a unit in the project on the date of disposition may not pay as rent for the unit an amount in excess of 30 percent of the adjusted income of the family at any time during the period beginning upon such disposition and ending upon the earlier of—

''(A) 15 years after such disposition; or

''(B) the time at which the family first fails to qualify as a very low-income family.

''(3) REQUIREMENT REGARDING UNSUBSIDIZED PROJECTS.— Unless the Secretary determines that the applicability of rent restrictions under this paragraph to a project would unreasonably impede the disposition of the project, in disposing under this section of any unsubsidized multifamily housing project the Secretary shall require rent restrictions providing that any unassisted very low-income family who resides in a unit in the project on the date of disposition may not pay as rent for the unit an amount in excess of 30 percent of the adjusted income of the family at any time during the period beginning upon such disposition and ending upon the earlier of—

''(A) 15 years after such disposition; or

''(B) the time at which the family first fails to qualify as a very low-income family.

''(4) PHASE-IN OF RENT INCREASES.—If the disposition under this section of any multifamily housing project results in any rent increases for any very low-income families who are preexisting tenants of the project and are paying less than 30 percent of the adjusted income of the family for rent, the Secretary shall provide that such rent increases shall be phased in equally over a period of not less than 3 years.

''(5) DEFINITION OF 'UNASSISTED VERY LOW-INCOME FAMILY'.—For purposes of this subsection, the term 'unassisted very low-income family' means a very low-income family who resides in a unit that is not assisted with project-based assistance under section 8 of the United States Housing Act of 1937 and on whose behalf tenant-based assistance under such section is not provided.

''(i) CONTRACT REQUIREMENTS.—Contracts for project-based rental assistance under section 8 of the United States Housing Act of 1937 provided pursuant to this section shall be subject to the following requirements:

''(1) CONTRACT TERM.—The contract shall have a term of 15 years, except that—

''(A) the term may be less than 15 years to the extent that the Secretary finds that, based on the rental charges and financing for the multifamily housing project to which the contract relates, the financial viability of the project can be maintained under a contract having such a term;

''(B) to the extent that units receive project-based assistance for a contract term of less than 15 years, the Secretary shall require that the mount of rent payable by tenants of the project for such units shall not exceed the amount payable for rent under

section 3(a) of the United States Housing Act of 1937 for a period of at least 15 years; and

''(C) the term may be less than 15 years if such assistance is provided—

''(i) under a contract authorized under section 6 of the HUD Demonstration Act of 1993; and

''(ii) pursuant to a disposition plan under this section for a project that is determined by the Secretary to be otherwise in compliance with this section.

''(2) CONTRACT RENT.—

''(A) IN GENERAL.—The Secretary shall establish contract rents for section 8 project-based rental contracts issued under this section at levels that provide sufficient amounts for the necessary costs of rehabilitating and operating the multifamily housing project and do not exceed 144 percent of the existing housing fair market rentals for the market area in which the project assisted under the contract is located.

''(B) UP-FRONT GRANTS AND LOANS.—If the Secretary determines that action under this subparagraph is more cost-effective, the Secretary may utilize the budget authority provided for contracts issued under this section for project-based assistance under section 8 of the United States Housing Act of 1937 to (in addition to providing project-based section 8 rental assistance)—

''(i) provide up-front grants to nonprofit organizations or public housing agencies for the necessary cost of rehabilitation; or

''(ii) pay any cost to the Government, as defined in section 502 of the Congressional Budget Act of 1974, for loans made pursuant to subsection (f)(1).

''(j) DISPOSITION PLAN.—

''(1) IN GENERAL.—Prior to the sale of a multifamily housing project that is owned by the Secretary, the Secretary shall develop an initial disposition plan for the project that specifies the minimum terms and conditions of the Secretary for disposition of the project, the initial sales price that is acceptable to the Secretary, and the assistance that the Secretary plans to make available to a prospective purchaser in accordance with this section. The initial sales price shall be reasonably related to the intended use of the property after sale, any rehabilitation requirements for the project, the rents for units in the project that can be supported by the market, the amount of rental assistance available for the project under section 8 of the United States Housing Act of 1937, and the occupancy profile of the project.

''(2) COMMUNITY AND TENANT INPUT.—In carrying out this section, the Secretary shall develop procedures—

''(A) to obtain appropriate and timely input into disposition plans from officials of the unit of general local government affected, the community in which the project is situated, and the tenants of the project; and

''(B) to facilitate, where feasible and appropriate, the sale of multifamily housing projects to existing tenant organizations with demonstrated capacity, to public or nonprofit entities that represent or are affiliated with existing tenant organizations, or to other public or nonprofit entities.

''(3) TECHNICAL ASSISTANCE.—To carry out the procedures developed under paragraph (2), the Secretary may provide technical assistance, directly or indirectly, and may use amounts available for technical assistance under the Emergency Low Income Housing Preservation Act of 1987, subtitle C of the Low-Income Housing Preservation and Resident Homeownership Act of 1990, subtitle B of title IV of the Cranston-Gonzalez National Affordable Housing Act, or this section, for the provision of technical assistance under this paragraph. Recipients of technical assistance funding under the provisions referred to in this paragraph shall be permitted to provide technical assistance to the extent of such funding under any of such provisions or under this paragraph, notwithstanding the source of the funding.

''(k) RIGHT OF FIRST REFUSAL FOR LOCAL AND STATE GOVERNMENT AGENCIES.—

''(1) NOTIFICATION OF ACQUISITION OF TITLE.—Not later than 30 days after acquiring title to a multifamily housing project, the Secretary shall notify the unit of general local government (which, for purposes of this subsection, shall include any public housing agency) for the area in which the project is located and the State agency or agencies designated by the Governor of the State in which the project is located of such acquisition.

''(2) RIGHT OF FIRST REFUSAL.—During the period beginning upon acquisition of title to a multifamily housing project and ending 45 days after completion of notification under paragraph (1), the Secretary may offer to sell and may sell the project only to the unit of general local government or the designated State agency.

''(3) EXPRESSION OF INTEREST.—The unit of general local government or designated State agency may submit to the Secretary a preliminary expression of interest in a project not later than 45 days after receiving notification from the Secretary under paragraph (1) regarding the project. The Secretary may take such actions as may be necessary to require the unit of general local government or designated State agency to substantiate such interest.

''(4) TIMELY EXPRESSION OF INTEREST.—If the unit of general local government or designated State agency has submitted an expression of interest in a project before the expiration of the 45-day period referred to in paragraph (3) and has substantiated such interest if requested, the Secretary, upon approval of a disposition plan for the project, shall—

''(A) notify the unit of general local government and designated State agency of the terms and conditions of the disposition plan; and

''(B) provide that, for 90 days after the date of such notification, only the unit of general local government or designated State agency may make an offer to purchase the project.

''(5) FAILURE TO TIMELY EXPRESS INTEREST.—If the unit of general local government or designated State agency does not timely express and, if requested, substantiate interest in a project as provided in paragraph (4), the Secretary may offer the project for sale to any interested person or entity upon approval of the disposition plan for the project.

''(6) ACCEPTANCE OF OFFERS.—If the unit of general local government or designated State agency timely expresses and, if requested, substantiates interest in a project as provided in paragraph (4), the Secretary shall accept an offer made by the unit of general local government or designated State agency during the 90-day period for the project under paragraph (4)(B) that complies with the terms and conditions of the disposition plan for the project. The Secretary may accept an offer that does not comply with the terms and conditions of the disposition plan if the Secretary determines that the offer will further the goals specified in subsection (a) by actions that include extension of the duration of low-income affordability restrictions or otherwise restructuring the transaction in a manner that enhances the long-term affordability for low-income persons. The Secretary may reduce the initial sales price in exchange for the extension of low-income affordability restrictions beyond the period of assistance contemplated by the attachment of assistance pursuant to subsection (i)(1) and in order to facilitate affordable rents.

''(7) FAILURE TO SELL TO LOCAL OR STATE GOVERNMENT AGENCY.—If the Secretary and the unit of general local government or designated State agency cannot reach agreement on an offer for purchase of a project within the 90-day period for the project under paragraph (4)(B), the Secretary may offer the project for sale to the general public.

''(8) PURCHASE BY UNIT OF GENERAL LOCAL GOVERNMENT OR DESIGNATED STATE AGENCY.—Notwithstanding any other provision of law, a unit of general local government (including a public housing agency) or designated State agency may purchase a subsidized or formerly subsidized project in accordance with this subsection.

''(9) APPLICABILITY.—This subsection shall apply to projects that are acquired on or after the effective date of this subsection. With respect to projects acquired before such effective date, the Secretary may apply—

''(A) the requirements of paragraphs (2) and (3) of section 203(e) (as in effect immediately before the effective date of this subsection); or

''(B) the requirements of paragraphs (1) through (7) of this subsection, if—

''(i) the Secretary gives the unit of general local government or designated State agency 45 days to express interest in the project; and

''(ii) the unit of general local government or designated State agency expresses interest in the project before the expiration of the 45-day period, and substantiates such interest if requested, within 90 days from the date of notification of the terms and conditions of the disposition plan to make an offer to purchase the project.

''(10) TRANSFER BY LOCAL OR STATE GOVERNMENT AGENCY PURCHASERS.—The Secretary shall permit units of general local government and designated State agencies to transfer multifamily housing projects acquired under the right of first refusal under this subsection to a private entity, but only if the local government or State agency clearly identifies its intention to transfer the project in the offer to purchase the property accepted by the Secretary under this subsection.

''(l) DISPLACEMENT OF TENANTS AND RELOCATION ASSISTANCE.—

''(1) IN GENERAL.—Whenever tenants will be displaced as a result of the disposition of, or repairs to, a multifamily housing project that is owned by the Secretary (or for which the Secretary is mortgagee in possession), the Secretary shall identify tenants who will be displaced and shall notify all such tenants of their pending displacement and of any relocation assistance that may be available. In the case of the disposition of tenants of a multifamily housing project that is not owned by the Secretary (and for which the Secretary is not mortgagee in possession), the Secretary shall require the owner of the project to carry out the requirements of this paragraph.

''(2) RIGHTS OF DISPLACED TENANTS.—The Secretary shall ensure for any such tenant (who continues to meet applicable qualification standards) the right—

''(A) to return, whenever possible, to a repaired unit;

''(B) to occupy a unit in another multifamily housing project owned by the Secretary;

''(C) to obtain housing assistance under the United States Housing Act of 1937; or

''(D) to receive any other available relocation assistance as the Secretary determines to be appropriate.

''(m) MORTGAGE AND PROJECT SALES.—

''(1) IN GENERAL.—The Secretary may not approve the sale of any loan or mortgage held by the Secretary (including any loan or mortgage owned by the Government National Mortgage Association) on any subsidized project or formerly subsidized

project, unless such sale is made as part of a transaction that will ensure that such project will continue to operate at least until the maturity date of such loan or mortgage, in a manner that will provide rental housing on terms at least as advantageous to existing and future tenants as the terms required by the program under which the loan or mortgage was made or insured prior to the assignment of the loan or mortgage on such project to the Secretary.

''(2) SALE OF CERTAIN PROJECTS.—The Secretary may not approve the sale of any subsidized project—

''(A) that is subject to a mortgage held by the Secretary, or

''(B) if the sale transaction involves the provision of any additional subsidy funds by the Secretary or a recasting of the mortgage,

unless such sale is made as part of a transaction that will ensure that the project will continue to operate, at least until the maturity date of the loan or mortgage, in a manner that will provide rental housing on terms at least as advantageous to existing and future tenants as the terms required by the program under which the loan or mortgage was made or insured prior to the proposed sale of the project.

''(3) MORTGAGE SALES TO STATE AND LOCAL GOVERNMENTS.—Notwithstanding any provision of law that requires competitive sales or bidding, the Secretary may carry out negotiated sales of subsidized or formerly subsidized mortgages held by the Secretary, without the competitive selection of purchasers or intermediaries, to units of general local government or State agencies, or groups of investors that include at least one such unit of general local government or State agency, if the negotiations are conducted with such agencies, except that—

''(A) the terms of any such sale shall include the agreement of the purchasing agency or unit of local government or State agency to act as mortgagee or owner of a beneficial interest in such mortgages, in a manner consistent with maintaining the projects that are subject to such mortgages for occupancy by the general tenant group intended to be served by the applicable mortgage insurance program, including, to the extent the Secretary determines appropriate, authorizing such unit of local government or State agency to enforce the provisions of any regulatory agreement or other program requirements applicable to the related projects; and

''(B) the sales prices for such mortgages shall be, in the determination of the Secretary, the best prices that may be obtained for such mortgages from a unit of general local government or State agency, consistent with the expectation and intention that the projects financed will be retained for use under the applicable mortgage insurance program for the life of the initial mortgage insurance contract.

''(4) SALE OF MORTGAGES COVERING UNSUBSIDIZED PROJECTS.—Notwithstanding any other provision of law, the Secretary may sell mortgages held on unsubsidized projects on such terms and conditions as the Secretary may prescribe.

''(n) REPORT TO CONGRESS.—Not later than June 1 of each year, the Secretary shall submit to the Congress a report describing the status of multifamily housing projects owned by or subject to mortgages held by the Secretary. The report shall include—

''(1) the name, address, and size of each project;

''(2) the nature and date of assignment of each project;

''(3) the status of the mortgage for each project;

''(4) the physical condition of each project;

''(5) for each subsidized or formerly subsidized project, an occupancy profile of the project, stating the income, family size, race, and ethnic origin of current residents and the rents paid by such residents;

''(6) the proportion of units in each project that are vacant;

''(7) the date on which the Secretary became mortgagee in possession of each project, if applicable;

''(8) the date and conditions of any foreclosure sale for a project;

''(9) the date of acquisition of each project by the Secretary, if applicable;

''(10) the date and conditions of any property disposition sale for a project;

''(11) a description of actions undertaken pursuant to this section, including a description of the effectiveness of such actions and any impediments to the disposition or management of multifamily housing projects;

''(12) a description of any of the functions performed in connection with this section that are contracted out to public or private entities or to States; and

''(13) a description of the activities carried out under subsection (k) during the preceding year.''.

(c) CLARIFICATION OF FEDERAL PREFERENCES.—

(1) PUBLIC HOUSING TENANCY.—Section 6(c)(4)(A)(i) of the United States Housing Act of 1937 (42 U.S.C. 1437d(c)(4)(A)(i)) is amended by inserting after ''displaced'' the following: ''(including displacement because of disposition of a multifamily housing project under section 203 of the Housing and Community Development Amendments of 1978)''.

(2) SECTION 8 ASSISTANCE.—Section 8(d)(1)(A)(i) of the United States Housing Act of 1937 (42 U.S.C. 1437f(d)(1)(A)(i)) is amended by inserting after ''displaced'' the following: ''(including displacement because of disposition of a multifamily housing project under section 203 of the Housing and Community Development Amendments of 1978)''.

(d) DEFINITION OF OWNER.—Section 8(f)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437f(f)(1)) is amended by inserting ''an agency of the Federal Government,'' after ''cooperative,''.

(e) AMENDMENT TO NATIONAL HOUSING ACT.—Title V of the National Housing Act (12 U.S.C. 1731a et seq.) is amended by adding at the end the following new section:

''PARTIAL PAYMENT OF CLAIMS ON MULTIFAMILY HOUSING PROJECTS

''SEC. 541. (a) AUTHORITY.—Notwithstanding any other provision of law, if the Secretary is requested to accept assignment of a mortgage insured by the Secretary that covers a multifamily housing project (as such term is defined in section 203(b) of the Housing and Community Development Amendments of 1978) and the Secretary determines that partial payment would be less costly to the Federal Government than other reasonable alternatives for maintaining the low-income character of the project, the Secretary may request the mortgagee, in lieu of assignment, to—

''(1) accept partial payment of the claim under the mortgage insurance contract; and

''(2) recast the mortgage, under such terms and conditions as the Secretary may determine.

''(b) REPAYMENT.—As a condition to a partial claim payment under this section, the mortgagor shall agree to repay to the Secretary the amount of such payment and such obligation shall be secured by a second mortgage on the property on such terms and conditions as the Secretary may determine.''.

(f) EFFECTIVE DATE.—The Secretary shall issue interim regulations necessary to implement the amendments made by subsections (b) through (d) not later than 90 days after the date of the enactment of this Act. Such interim regulations shall take effect upon issuance and invite public comment on the interim regulations. The Secretary shall issue final regulations to implement such amendments after opportunity for such public comment, but not later than 12 months after the date of issuance of such interim regulations.

SEC. 6002. SECTION 235 MORTGAGE REFINANCING.

Section 235(r) of the National Housing Act is amended—

(1) in paragraph (2)(C), by inserting after ''refinanced'' the following: '', plus the costs incurred in connection with the refinancing as described in paragraph (4)(B) to the extent that the amount for those costs is not otherwise included in the interest rate as permitted by subparagraph (E) or paid by the Secretary as authorized by paragraph (4)(B)'';

(2) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by inserting after ''otherwise)'' the following: ''and the mortgagee (with respect to the amount described in subparagraph (A))''; and

(B) in subparagraph (A), by inserting after ''mortgagor'' the following: ''and the mortgagee''; and

(3) by amending paragraph (5) to read as follows:

''(5) The Secretary shall use amounts of budget authority recaptured from assistance payments contracts relating to mortgages that are being refinanced for assistance payments contracts with respect to mortgages insured under this subsection. The Secretary may also make such recaptured amounts available for incentives under paragraph (4)(A) and the costs incurred in connection with the refinancing under paragraph (4)(B). For purposes of subsection (c)(3)(A), the amount of recaptured budget authority that the Secretary commits for assistance payments contracts relating to mortgages insured under this subsection and for amounts paid under paragraph (4) shall not be construed as unused.''.

SEC. 6003. USE OF EMERGENCY ASSISTANCE FUNDS FOR RESIDENCY IN MULTIFAMILY HOUSING DISPOSITION PROJECTS.

Section 203(f) of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z–11), as amended by section 6001 of this Act, is further amended by adding at the end the following new paragraph:

''(4) EMERGENCY ASSISTANCE FUNDS.—The Secretary may make arrangements with State agencies and units of general local government of States receiving emergency assistance under part A of title IV of the Social Security Act for the provision of assistance under such Act on behalf of eligible families who would reside in any multifamily housing projects.''.

SEC. 6004. ADDITIONAL EMPLOYEES TO FACILITATE DISPOSITION OF FHA INVENTORY PROPERTIES.

Notwithstanding any other provision of law, during fiscal years 1993, 1994, and 1995 amounts in the various funds of the Federal Housing Administration otherwise available to the Secretary of Housing and Urban Development for non-overhead expenses associated with processing, accounting, loan servicing, asset management, and disposition services may be used by the Secretary for personnel compensation and benefits for temporary employees of the Department of Housing and Urban Development employed to manage, service, and dispose of single family and multifamily properties insured by, assigned to, or owned by the Secretary. The Secretary may employ not more than 400 temporary employees at any one time using amounts made available pursuant to this section, no such employee may be employed in a temporary position pursuant to this section for a period in excess of 2 years, and such employees shall not be considered

for purposes of any personnel ceiling applicable to the Department of Housing and Urban Development or any unit therein or any personnel ceiling applicable to temporary employees of the Federal Government.

SEC. 6005. HUD STREAMLINING.

The Secretary of Housing and Urban Development shall carry out the recommendation of the Report of the National Performance Review, issued on September 7, 1993, that the Department streamline its headquarters, regional, and field office structure and consolidate and reduce its size, without regard to the requirements of section 7(p) of the Department of Housing and Urban Development Act.

TITLE VII—DEPARTMENT OF THE INTERIOR

SEC. 7001. IMPROVEMENT OF MINERALS MANAGEMENT SERVICE ROYALTY COLLECTION.

(a) The Secretary of the Interior shall, by fiscal year 1995, direct the Minerals Management Service, Royalty Management Program, to develop and implement (1) an automated business information system to provide to its auditors a lease history that includes reference, royalty, production, financial, compliance history, pricing and valuation, and other information; (2) the optimum methods to identify and resolve anomalies and to verify that royalties are paid correctly; (3) a more efficient and cost-effective royalty collection process by instituting new compliance and enforcement measures, including assessments and penalties for erroneous reporting and underreporting; (4) pilot projects under which a State may assume mineral receipt collections on Federal lands within the State and where the State assumes 50 percent of the cost of such pilot project; and (5) such other actions as may be necessary to reduce royalty underpayment and increase revenue to the U.S. Treasury by an estimated total of $28 million by fiscal year 1999.

(b) The Federal Oil and Gas Royalty Management Act of 1982 (Public Law No. 97–451), 30 U.S.C. 1701 et seq.) is amended by adding a new subsection 111(h) as follows:

''PENALTY ASSESSMENT FOR SUBSTANTIAL UNDERREPORTING OF ROYALTY''

''SEC. 111. (h)(1) If there is any underreporting of royalty owed on production from any lease issued or administered by the Secretary for the production of oil, gas, coal, any other mineral, or geothermal steam, from any Federal or Indian lands or the Outer Continental Shelf, for any production month, by any person who is responsible for paying royalty, the Secretary may assess a penalty of 10 percent of the amount of that underreporting.

''(2) If there is a substantial underreporting of royalty owed on production from any lease issued or administered by the Secretary for the production of oil, gas, coal, any other mineral, or geothermal steam, from any Federal or Indian lands or the Outer Continental Shelf, for any production month, by any person who is responsible for paying royalty, the Secretary may assess a penalty of 20 percent of the amount of that substantial underreporting.

''(3) For purposes of this section, the term 'underreporting' means the difference between the royalty on the value of the production which should have been reported and the royalty on the value of the production which was reported, if the value of the production which should have been reported is greater than the value of the production which was reported. An underreporting constitutes a 'substantial underreporting' if such difference exceeds 10 percent of the royalty on the value of the production which should have been reported.

''(4) The Secretary shall not impose the assessment provided in paragraphs (1) or (2) if the person corrects the underreporting before the date the person receives notice from the Secretary that an underreporting may have occurred, or before 90 days after the date of enactment of this section, whichever is later.

''(5) The Secretary shall waive any portion of an assessment provided in paragraphs (1) or (2) attributable to that portion of the underreporting for which the person demonstrates that—

''(i) the person had written authorization from the Secretary to report royalty on the value of the production on the basis on which it was reported, or

''(ii) the person had substantial authority for reporting royalty on the value of the production on the basis on which it was reported, or

''(iii) the person previously had notified the Secretary, in such manner as the Secretary may by rule prescribe, of relevant reasons or facts affecting the royalty treatment of specific production which led to the underreporting, or

''(iv) the person meets any other exception which the Secretary may, by rule, establish.

''(6) All penalties collected under this subsection shall be deposited to the same accounts in the Treasury or paid to the same recipients in the same manner as the royalty with respect to which such penalty is paid.''.

SEC. 7002. PHASE OUT OF MINERAL INSTITUTE PROGRAM.

The Secretary of the Interior, beginning in fiscal year 1995, shall take action to phase out the Mining and Mineral Resources Research Institute Act of 1984, Public Law 98–409, as amended (98 Stat. 1536 through 1541 and 102 Stat. 2339 through 2341, 30 U.S.C. 1221 through 1230). There are hereby authorized to be appropriated under the Act the following amounts: fiscal year 1995—$6.5 million; fiscal year 1996—$5 million; fiscal year 1997—$3 million; and fiscal year 1998—$1.5 million. No further appropriations for this Act are authorized after September 30, 1998.

SEC. 7003. REORGANIZATION STUDY OF BUREAU OF INDIAN AFFAIRS.

(a) GENERAL AUTHORITY.—The Secretary of the Interior, with the active participation of Indian tribes, shall conduct a study of the reorganization of the Bureau of Indian Affairs.

(b) CONTENT.—The study conducted under subsection (a) shall include (but shall not be limited to)—

(1) an examination of the current structure of the Bureau of Indian Affairs and recommendations for structural changes to improve the implementation of Federal trust responsibilities toward Indian tribes;

(2) an examination of the current roles of the Central, Area, and Agency offices of the Bureau of Indian Affairs and recommendations to improve efficiency of the Bureau through reorganization;

(3) an examination of the efficiency of the Bureau of Indian Affairs in comparison with other Bureaus of the Department of the Interior;

(4) an examination of the barriers to the implementation of the 1988 amendments to the Indian Self-Determination and Education Assistance Act throughout the Department of the Interior and a proposed plan for effective implementation; and

(5) recommendations for the transfer of personnel and resources from the Central, Area, and Agency offices of the Bureau of Indian Affairs to Indian tribes.

(c) REPORT.—The Secretary shall complete the study conducted pursuant to this section and shall submit such study, together with recommendations and draft legislation to implement such recommendations, to the Congress within one year after the date of enactment of this Act.

SEC. 7004. TERMINATION OF ANNUAL DIRECT GRANT ASSISTANCE

(a) TERMINATION.—Pursuant to section 704(d) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (48 U.S.C. 1681 note), the annual payments under section 702 of the Covenant shall terminate as of September 30, 1993.

(b) REPEAL.—Sections 3 and 4 of the Act of March 24, 1976 (Public Law 94–241; 48 U.S.C. 1681 note), as amended, are repealed, effective October 1, 1993.

TITLE VIII—MISCELLANEOUS PROVISIONS

SEC. 8001. LIMITATION ON CERTAIN ANNUAL PAY ADJUSTMENTS.

Effective as of December 31, 1994—

(1) section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31(2)) is amended—

(A) by striking ''(2) Effective'' and inserting ''(2)(A) Subject to subparagraph (B), effective''; and

(B) by adding at the end the following:

''(B) In no event shall the percentage adjustment taking effect under subparagraph (A) in any calendar year (before rounding), in any rate of pay, exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule.'';

(2) section 104 of title 3, United States Code, is amended—

(A) in the first sentence by inserting ''(a)'' before ''The'';

(B) in the second sentence by striking ''Effective'' and inserting ''Subject to subsection (b), effective''; and

(C) by adding at the end the following:

''(b) In no event shall the percentage adjustment taking effect under the second and third sentences of subsection (a) in any calendar year (before rounding) exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5 in the rates of pay under the General Schedule.'';

(3) section 5318 of title 5, United States Code, is amended—

(A) in the first sentence by striking ''Effective'' and inserting ''(a) Subject to subsection (b), effective''; and

(B) by adding at the end the following:

''(b) In no event shall the percentage adjustment taking effect under subsection (a) in any calendar year (before rounding), in any rate of pay, exceed the percentage adjustment taking effect in such calendar year under section 5303 in the rates of pay under the General Schedule.''; and

(4) section 461(a) of title 28, United States Code, is amended—

(A) by striking ''(a) Effective'' and inserting ''(a)(1) Subject to paragraph (2), effective''; and

(B) by adding at the end the following:

''(2) In no event shall the percentage adjustment taking effect under paragraph (1) in any calendar year (before rounding), in any salary rate, exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5 in the rates of pay under the General Schedule.''.

SEC. 8002. REDUCTION OF FEDERAL FULL-TIME EQUIVALENT POSITIONS.

(a) DEFINITION.—For purposes of this section, the term ''agency'' means an Executive agency as defined under section 105 of title 5, United States Code, but does not include the General Accounting Office.

(b) LIMITATIONS ON FULL-TIME EQUIVALENT POSITIONS.—The President, through the Office of Management and Budget (in consultation with the Office of Personnel Management), shall ensure that the total number of full-time equivalent positions in all agencies shall not exceed—

(1) 2,053,600 during fiscal year 1994;
(2) 1,999,600 during fiscal year 1995;
(3) 1,945,600 during fiscal year 1996;
(4) 1,895,600 during fiscal year 1997; and
(5) 1,851,600 during fiscal year 1998.

(c) MONITORING AND NOTIFICATION.—The Office of Management and Budget, after consultation with the Office of Personnel Management, shall—

(1) continuously monitor all agencies and make a determination on the first date of each quarter of each applicable fiscal year of whether the requirements under subsection (b) are met; and

(2) notify the President and the Congress on the first date of each quarter of each applicable fiscal year of any determination that any requirement of subsection (b) is not met.

(d) COMPLIANCE.—If at any time during a fiscal year, the Office of Management and Budget notifies the President and the Congress that any requirement under subsection (b) is not met, no agency may hire any employee for any position in such agency until the Office of Management and Budget notifies the President and the Congress that the total number of full-time equivalent positions for all agencies equals or is less than the applicable number required under subsection (b).

(e) WAIVER.—

(1) EMERGENCIES.—Any provision of this section may be waived upon a determination by the President that—

(A) the existence of a state of war or other national security concern so requires; or

(B) the existence of an extraordinary emergency threatening life, health, safety, property, or the environment so requires.

(2) AGENCY EFFICIENCY OR CRITICAL MISSION.—

(A) Subsection (d) may be waived, in the case of a particular position or category of positions in an agency, upon a determination of the President that the efficiency of the agency or the performance of a critical agency mission so requires.

(B) Whenever the President grants a waiver pursuant to subparagraph (A), the President shall take all necessary actions to ensure that the overall limitations set forth in subsection (b) are not exceeded.

TITLE IX—DEPARTMENT OF LABOR

SEC. 9001. DETERRENCE OF FRAUD AND ABUSE IN FECA PROGRAM.

(a) Section 8102 of title 5, United States Code, is amended to redesignate subsection (b) as subsection (c), and to add the following new subsection (b):

''(b) An individual convicted of a violation of 18 U.S.C. 1920, as amended, or of any other fraud related to the application for or receipt of benefits under subchapter I or III of chapter 81 of title 5, shall forfeit, as of the date of the conviction, all entitlement to any prospective benefits provided by subchapter I or III for any injury occurring on or before the date of the conviction. Such a forfeiture of benefits shall be in addition to any action the Secretary may take under section 8106 or 8129 of title 5, United States Code.''.

(b) Section 8116 of title 5, United States Code, is amended by adding the following new subsection (e):

''(e) Notwithstanding any other provision of this title, no benefits under sections 8105 or 8106 of this subchapter shall be paid or provided to any individual during any period during which such individual is confined in a jail, prison, or other penal institution or correctional facility, pursuant to that individual's conviction of an offense that constituted a felony under applicable law, except where such individual has one or more dependents within the meaning of section 8110 of this subchapter, in which case the Secretary may, during the period of incarceration, pay to such dependents a percentage of the benefits that would have been payable to such individual computed according to the percentages set forth in section 8133(a)(1)–(5) of this subchapter.''.

(c) Section 8116 of title 5, United States Code, is further amended by adding the following new subsection (f):

''(f) Notwithstanding the provisions of section 552a of this title, or any other provision of Federal or State law, any agency of the United States Government or of any State (or political subdivision thereof) shall make available to the Secretary, upon written request, the names and Social Security account numbers of individuals who are confined in a jail, prison or other penal institution or correctional facility under the jurisdiction of such agency, pursuant to such individuals' conviction of an offense that constituted a felony under applicable law, which the Secretary may require to carry out the provisions of this subsection.''.

(d) Section 1920 of title 18, United States Code, is amended to read as follows: ''Whoever knowingly and willfully falsifies, conceals, or covers up a material fact, or makes a false, fictitious, or fraudulent statement or representation, or makes or uses a false statement or report knowing the same to contain any false, fictitious or fraudulent statement or entry in connection with the application for or receipt of compensation or other benefit or payment under subchapter I or III of chapter 81 of title 5, United States Code, shall be punished by a fine of not more than $250,000, or by imprisonment for not more than five years, or both.''.

(e) Except as otherwise provided in this section, the amendments made by this section shall be effective on the date of enactment and shall apply to actions taken on or after the date of enactment both with respect to claims filed before the day of enactment and with respect to claims filed after such date.

(f) The amendments made by subsections (a), (b), and (c) of this section shall be effective on the date of enactment and shall apply to any person convicted or imprisoned on or after the date of enactment.

(g) The amendment made by subsection (d) of this section shall be effective on the date of enactment and shall apply to any claim, statement, representation, report, or other written document made or submitted in connection with a claim filed under subchapter I or III of chapter 81 of title 5, United States Code.

SEC. 9002. ENHANCEMENT OF REEMPLOYMENT PROGRAMS FOR FEDERAL EMPLOYEES DISABLED IN THE PERFORMANCE OF DUTY.

(a) Section 8104 of title 5, United States Code, is amended—

(1) by striking the comma after ''employment'' and by striking ''other than employment undertaken pursuant to such rehabilitation'' from subsection (b); and

(2) by adding the following new subsection (c):

''(c) The Secretary of Labor, as part of the vocational rehabilitation effort, may assist permanently disabled individuals in seeking and/or obtaining employment. The Secretary may reimburse an employer (including a Federal employer), who was not the employer at the time of injury and who agrees to employ a disabled beneficiary, for portions of the salary paid by such employer to the reemployed, disabled beneficiary. Any such sums shall be paid from the Employees' Compensation Fund.''.

(b) The Secretary of Labor is authorized to expand the Federal Employees' Compensation Act Periodic Roll Management Project to all offices of the Office of Workers' Compensation Program of the Department of Labor.

(c) The provisions of, and amendments made by, subsections (a) and (b) of this section shall be effective on the date of enactment.

SEC. 9003. WAGE DETERMINATIONS.

(a) The McNamara-O'Hara Service Contract Act, as amended (41 U.S.C. 351 et seq.) is amended by adding at the end the following new section:

''SEC. 11. To more effectively implement wage determination procedures, the Secretary of Labor is authorized to develop and implement an electronic data interchange system to request and obtain wage determinations required under the Act.''.

(b) The Davis-Bacon Act, as amended (41 U.S.C. 276a et seq.) is amended by adding at the end the following new section:

''SEC. 8. To more effectively implement wage determination procedures, the Secretary of Labor is authorized to develop and implement an electronic data interchange system to request and obtain wage determinations required under the Act.''.

(c) The amendments made by subsections (a) and (b) of this section shall be effective on the date of enactment.

SEC. 9004. ELIMINATION OF FILING REQUIREMENTS.

(a) Section 101(b) of the Employee Retirement Income Security Act of 1974 (ERISA) (29 U.S.C. 1021(b)) is amended by striking paragraphs (1), (2) and (3) and by redesignating paragraphs (4) and (5) as paragraphs (1) and (2), respectively.

(b) Section 102 of ERISA (29 U.S.C. 1022) is amended by striking paragraph (a)(2) and redesignating paragraph (a)(1) as subsection (a).

(c) Section 104(a)(1) of ERISA (29 U.S.C. 1024(a)(1)) is amended to read as follows:

''SEC. 104. (a)(1) The administrator of any employee benefit plan subject to this part shall file with the Secretary the annual report for a plan year within 210 days after the close of such year (or within such time as may be required by regulations promulgated by the Secretary in order to reduce duplicative filing). The Secretary shall make copies of such annual reports available for inspection in the public document room of the Department of Labor. The administrator shall also furnish to the Secretary, upon request, any documents relating to the employee benefit plan including but not limited to the summary plan description, description of material modifications to the plan, bargaining agreement, trust agreement, contract, or other instrument under which the plan is established or operated.''.

(d) Section 104(b) of ERISA (29 U.S.C. 1024(b)) is amended by adding at the end the following new paragraph:

''(5) The Secretary shall, upon written request of any participant or beneficiary of a plan for a copy of any documents described in paragraph (4), make a written request to the plan administrator for copies of such documents. The plan administrator shall comply with such request from the Secretary. Upon obtaining such copies from the plan administrator, the Secretary shall provide them to the requesting participant or beneficiary. In making a request under this paragraph to the plan administrator, the Secretary shall not disclose to the plan administrator the identity of the participant or beneficiary. The administrator may make a reasonable charge to cover the cost of furnishing such complete copies consistent with any regulations issued by the Secretary pursuant to paragraph (4). The Secretary may require the participant or beneficiary to reimburse the Secretary for such charges before the participant receives the requested copies.''.

(e) Section 106(a) of ERISA (29 U.S.C. 1026(a)) is amended by striking ''descriptions,''.

(f) Section 107 of ERISA (29 U.S.C. 1027) is amended by striking ''description or''.

(g) Section 108 of ERISA (29 U.S.C. 1028) is amended by striking ''(B) after publishing or filing the plan description, annual reports,'' and inserting ''(B) after publishing the plan description, or after publishing or filing the annual reports,''.

(h) Section 109(b) of ERISA (29 U.S.C. 1029(b)) is amended to read as follows:

''(b) The financial statement and opinion required to be prepared by an independent qualified public accountant pursuant to section 103(a)(3)(A) and the actuarial statement required to be prepared by an enrolled actuary pursuant to section 103(a)(4)(A) shall not be required to be submitted on forms.''.

(i) Section 502(c) of ERISA is amended by adding at the end the following new paragraph:

''(4) The Secretary may assess a civil penalty against any plan administrator of up to $100 per day from the date of such plan administrator's failure or refusal to comply with a request for documents which such administrator is required to furnish to the Secretary (unless such failure or refusal results from matters reasonably beyond the control of the administrator) pursuant to section 104(b)(5) by mailing the material requested to the address provided by the Secretary within 30 days after such request.''.

(j) EFFECTIVE DATE.—The provisions of this section shall take effect on the date of enactment of this Act.

TITLE X—DEPARTMENT OF STATE AND UNITED STATES INFORMATION AGENCY

SEC. 10001. IMPROVEMENT OF EFFICIENCY OF STATE DEPARTMENT ACTIVITIES.

The Secretary of State shall take action to improve the efficiency of the activities of the Department of State and save a total of $5,700,000 by the end of fiscal year 1999.

SEC. 10002. IMPROVEMENT OF EFFICIENCY OF USIA PUBLIC DIPLOMACY ACTIVITIES.

The Director of the United States Information Agency (USIA) shall take action to improve the efficiency of USIA's public diplomacy activities and save a total of $15,000,000 by the end of fiscal year 1999.

TITLE XI—DEPARTMENT OF TRANSPORTATION

SEC. 11001. REEMPLOYMENT RIGHTS FOR CERTAIN MERCHANT SEAMEN.

(a) IN GENERAL.—Title III of the Merchant Marine Act, 1936 (46 App. U.S.C. 1131) is amended by inserting after section 301 the following new section:

''SEC. 302. (a) An individual who is certified by the Secretary of Transportation under subsection (c) shall be entitled to reemployment rights and other benefits substantially equivalent to the rights and benefits provided for by chapter 43 of title 38, United States Code, for any member of a Reserve component of the Armed Forces of the United States who is ordered to active duty.

''(b) An individual may submit an application for certification under subsection (c) to the Secretary of Transportation not later than 45 days after the date the individual completes a period of employment described in subsection (c)(1)(A) with respect to which the application is submitted.

''(c) Not later than 20 days after the date the Secretary of Transportation receives from an individual an application for certification under this subsection, the Secretary shall—

''(1) determine whether or not the individual—

''(A) was employed in the activation or operation of a vessel—

''(i) in the National Defense Reserve Fleet maintained under section 11 of the Merchant Ship Sales Act of 1946, in a period in which that vessel was in use or being activated for use under subsection (b) of that section;

''(ii) that is requisitioned or purchased under section 902 of this Act; or

''(iii) that is owned, chartered, or controlled by the United States and used by the United States for a war, armed conflict, national emergency, or maritime mobilization need (including for training purposes or testing for readiness and suitability for mission performance); and

''(B) during the period of that employment, possessed a valid license, certificate of registry, or merchant mariner's document issued under chapter 71 or chapter 73 (as applicable) of title 46, United States Code; and

''(2) if the Secretary makes affirmative determinations under paragraph (1) (A) and (B), certify that individual under this subsection.

''(d) For purposes of reemployment rights and benefits provided by this section, a certification under subsection (c) shall be considered to be the equivalent of a certificate referred to in clause (1) of section 4301(a) of title 38, United States Code.''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to employment described in section 302(c)(1)(A) of the Merchant Marine Act, 1936, as amended by subsection (a), occurring after August 2, 1990.

(c) EMPLOYMENT ENDING BEFORE ENACTMENT.—Notwithstanding subsection (b) of section 302 of the Merchant Marine Act, 1936, as amended by this Act, an individual who, in the period beginning August 2, 1990, and ending on the date of the enactment of this Act, completed a period of employment described in subsection (c)(1)(A) of that section may submit an application for certification under subsection (c) of that section with respect to that employment not later than 45 days after the date of the enactment of this Act.

(d) REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Transportation shall issue regulations implementing this section.

SEC. 11102. REFORM OF ESSENTIAL AIR SERVICE PROGRAM.

Section 419 of the Federal Aviation Act of 1958 (49 App. U.S.C. 1389) is amended—

(1) in subsection (a) by striking paragraph (2) and inserting the following:

''(2) RESTRICTIONS ON QUALIFICATIONS AS AN ELIGIBLE POINT.—To qualify as an eligible point in the 48 contiguous states, Hawaii, and Puerto Rico for purposes of fiscal year 1995 and thereafter, a point described in paragraph (1) must not require a rate of subsidy per passenger in excess of $200 unless such point is more than 210 miles from the nearest large or medium hub airport and may not be located fewer than 70 highway miles from the nearest large or medium hub airport;'' and

(2) in subsection (l) by striking paragraph (2) and inserting the following:

''(2) AMOUNTS AVAILABLE.—There shall be available to the Secretary from the Airport and Airway Trust Fund to incur obligations under this section $33,423,077 per fiscal year for each of fiscal years 1994 through 1999. Such amounts shall remain available until expended. Unobligated balances that remain available as of September 30, 1994, are rescinded.''.

SEC. 11003. AIRWAY SCIENCE PROGRAM.

(a) REPEAL.—All authority for—

(1) the Secretary of Transportation to enter into grant agreements with universities or colleges having an airway science curriculum recognized by the Federal Aviation Administration, to conduct demonstration projects in the development, advancement, or expansion of airway science programs; and

(2) the Federal Aviation Administration to enter into competitive grant agreements with institutions of higher education having airway science curricula, and all authorizations to appropriate for such purposes, as enacted under the head, ''Federal Aviation Administration, Facilities and Equipment'', in the Department of Transportation and Related Agencies Appropriations Acts for fiscal years ending before October 1, 1993;

is repealed.

(b) LIMITATION.—Subsection (a) shall not affect the authority of the Secretary to enter into grant agreements with universities, colleges, or institutions of higher education to obligate funds appropriated for fiscal years ending before October 1, 1993, which have not been rescinded.

SEC. 11004. COLLEGIATE TRAINING INITIATIVE.

(a) IN GENERAL.—Section 313(d) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1354(d)) is amended—

(1) by striking the subsection heading and all that follows through ''The Administrator'' and inserting the following:

''(d) TRAINING SCHOOLS.—

''(1) IN GENERAL.—The Administrator'';

(2) by moving the text of paragraph (1), as so designated, 2 ems to the right; and

(3) by adding at the end the following:

''(2) COLLEGIATE TRAINING INITIATIVE.—

''(A) CONTINUATION.—The Administrator of the Federal Aviation Administration may continue the Collegiate Training Initiative program, by entering into new agreements, with post-secondary institutions, as defined by the Administrator, whereby such institutions, without cost to the Federal Aviation Administration, prepare students for the position of air traffic controller with the Department of Transportation, as defined in section 2109 of title 5, United States Code.

''(B) STANDARDS.—The Administrator may establish standards for the entry of institutions into such program and for their continued participation in it.

''(C) APPOINTMENT IN EXCEPTED SERVICE.—The Administrator may appoint persons who have successfully completed a course of training in such program to the position of air traffic controller noncompetitively in the excepted service, as defined in section 2103 of title 5, United States Code. Persons so appointed shall serve at the pleasure of the Administrator, subject to section 7511 of such title (pertaining to adverse actions). However, an appointment under this subparagraph may be converted from one in the excepted service to a career conditional or career appointment in the competitive civil service, as defined in section 2102 of such title when the incumbent achieves full performance level air traffic controller status, as determined by the Administrator. The authority conferred by this subparagraph to make new appointments in the excepted service shall expire at the end of 5 years from the date of the enactment of this subparagraph; except that the Administrator may determine to extend such authority for 1 or more successive 1-year periods thereafter.''.

(b) CONFORMING AMENDMENT.—Section 362 of the Department of Transportation and Related Agencies Appropriations Act, 1993 (106 Stat. 1560) is repealed.

(c) LIMITATION.—The repeal and the amendments made by this section shall not prohibit the expenditure of funds appropriated for fiscal years ending before October 1, 1994.

TITLE XII—DEPARTMENT OF VETERANS AFFAIRS

Subtitle A—Administrative Improvements

SEC. 12001. ELIMINATION OF HOSPITAL AND NURSING HOME BED CAPACITY REQUIREMENTS.

(a) Section 8110(a)(1) of title 38, United States Code, is amended—

(1) by striking ''at not more than 125,000 and not less than 100,000''; and

(2) by striking the third and fourth sentences.

(b) Section 8111(a) of such title is amended by striking out ''result (1)'' and all that follows through ''maintained or''.

SEC. 12002. ELIMINATION OF REQUIREMENT FOR MINIMUM NUMBER OF PERSONNEL IN THE OFFICE OF INSPECTOR GENERAL.

Subsection (b) of section 312 of title 38, United States Code, is amended to read as follows:

''(b) Whenever the Secretary proposes to reduce the authorized number of full-time equivalent employees assigned to the Office of Inspector General, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report providing notice of the proposed reduction and a detailed explanation for the proposed reduction. No action to carry out the proposed reduction may be taken after the submission of such report until the end of a 45-day period of continuous session of Congress (determined in the same manner as specified in the last sentence of section 510(b) of this title) following the date of the submission of the report.''.

SEC. 12003. MODIFICATION OF ADMINISTRATIVE REORGANIZATION AUTHORITY.

(a) MODIFICATION OF REQUIREMENT TO REPORT TO CONGRESS.—Section 510 of title 38, United States Code, is amended by striking out ''90-day'' both places it appears in subsection (b) and inserting in lieu thereof ''45-day''.

(b) AUTHORITY TO REORGANIZE OFFICES IN EVENT OF EMERGENCY.—Such section is further amended by striking out subsection (d) and inserting the following:

''(d)(1) The limitation in subsection (b) does not apply with respect to an administrative reorganization at a medical facility if the Secretary determines that the reorganization is necessary to respond to an emergency situation at that facility. The Secretary may determine that there is an emergency situation at a medical facility for purposes of this subsection only in a case in which there would be an immediate danger to patients and employees at that facility without the reorganization. In the case of a facility at which officials of the Department are considering whether to implement an administrative reorganization before the event or occurrence which leads to an initial finding that such an emergency exists, the Secretary may not make such a determination.

''(2) Whenever the Secretary determines under paragraph (1) that it is necessary to carry out an administrative reorganization at a medical facility without regard to the limitation in subsection (b), the Secretary shall submit a report on that determination to the Committees on Veterans' Affairs of the Senate and House of Representatives. The report shall provide the same information as is provided in a detailed plan and justification in the case of an administrative reorganization subject to subsection (b). The Secretary shall include in the report an explanation of the alternatives to the proposed administrative reorganization that were considered and each factor that was considered in the decision to reject each such alternative.''.

SEC. 12004. ELIMINATION OF REQUIREMENT FOR CERTAIN SERVICES IN THE VETERANS HEALTH ADMINISTRATION.

(a) Section 7305 of title 38, United States Code, is repealed.

(b) The table of sections at the beginning of chapter 73 of such title is amended by striking the item relating to section 7305.

SEC. 12005. MODIFICATION OF PHYSICIAN REQUIREMENT FOR CERTAIN SENIOR VETERANS HEALTH ADMINISTRATION OFFICIALS.

(a) UNDER SECRETARY.—Section 305 of title 38, United States Code, is amended—

(1) in subsection (a)(2), by striking out ''shall be a doctor of medicine and shall be'' and inserting in lieu thereof ''shall (except as provided in subsection (d)(1)) be a doctor of medicine. The Under Secretary shall be'';

(2) in subsection (d)—

(A) by adding at the end of paragraph (1) the following: ''If at the time such a commission is established both the position of Deputy Under Secretary for Health and the position of Associate Deputy Under Secretary for Health are held by individuals who are doctors of medicine, the individual appointed by the President as Under Secretary for Health may be someone who is not a doctor of medicine. In any case, the Secretary shall develop, and shall furnish to the commission, specific criteria which the commission shall use in evaluating individuals for recommendations under paragraph (3).'';

(B) by redesignating paragraph (4) as paragraph (5);

(C) by inserting after the first sentence of paragraph (3) the following: ''In a case in which, pursuant to paragraph (1), the individual to be appointed as Under Secretary does not have to be a doctor of medicine, the commission may make recommendations without regard to the requirement in subsection (a)(2)(A) that the Under Secretary be appointed on the basis of demonstrated ability in the medical profession, but in such a case the commission shall accord a priority to the selection of a doctor of medicine over an individual who is not a doctor of medicine.''; and

(D) by designating the last two sentences of paragraph (3) as paragraph (4).

(b) DEPUTY AND ASSOCIATE DEPUTY UNDER SECRETARY.—Section 7306 of such title is amended—

(1) in subsection (a)—

(A) by striking out ''of the following:'' in the matter preceding paragraph (1) and inserting in lieu thereof ''such personnel as may be considered necessary for the purposes of this chapter. In appointing persons to positions in the Office, the Under Secretary shall consider the different types of health care services provided to veterans by the Veterans Health Administration and shall seek to ensure that appointments in the Office are made in such a manner that the Office is staffed so as to provide the Under Secretary with appropriate expertise in those services. The Office shall include the following:'';

(B) by inserting ''(except as provided in subsection (c))'' in paragraphs (1) and (2) after ''and who shall'';

(C) by striking out each paragraph after paragraph (2);

(2) by striking out subsection (b);

(3) by redesignating subsection (c) as subsection (b) and striking out ''In the case of'' in the second sentence and all that follows through ''such appointments'' and inserting in lieu thereof ''Such appointments''; and

(4) by inserting after subsection (b), as so redesignated, the following new subsection (c):

''(c)(1) If at the time of the appointment of the Deputy Under Secretary for Health under subsection (a)(1), both the position of Under Secretary for Health and the position of Associate Deputy Under Secretary for Health are held by individuals who are doctors of medicine, the individual appointed as Deputy Under Secretary for Health may be someone who is not a doctor of medicine.

''(2) If at the time of the appointment of the Associate Deputy Under Secretary for Health under subsection (a)(2), both the position of Under Secretary for Health and the position of Deputy Under Secretary for Health are held by individuals who are doctors of medicine, the individual appointed as Associate Deputy Under Secretary for Health may be someone who is not a doctor of medicine.''.

SEC. 12006. USE OF FUNDS RECOVERED FROM THIRD PARTIES.

(a) AUTHORIZED USES.—Section 1729(g) of title 38, United States Code, is amended by adding at the end of paragraph (3) the following new subparagraph:

''(C) Payments for (i) the purchase of needed medical equipment, and (ii) such other purposes as may be specifically authorized by law.''.

(b) AVAILABILITY OF FUNDS.—Such section is further amended by striking out paragraph (4) and inserting the following:

''(4)(A) Not later than December 1 of each year, there shall be set aside within the Fund a reserve to be used for the purposes described in paragraph (3)(C). The amount placed into the reserve each year shall be determined under subparagraph (B). No funds may be obligated under paragraph (3)(C) in excess of the funds in the reserve. The reserve shall remain available for obligation until expended.

''(B)(i) On December 1, 1993, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1993, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $538,600,000.

''(ii) On December 1, 1994, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1994, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $590,500,000.

''(iii) On December 1, 1995, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1995, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $646,000,000.

''(iv) On December 1, 1996, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1996, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $698,100,000.

''(v) On December 1, 1997, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1997, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $753,500,000.

''(C) If the amount to be set aside for the reserve for any year, as calculated under subparagraph (B), is less than zero, the amount added to the reserve for that year shall be zero.

''(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 the unobligated balance remaining in the Fund at the close of business on September 30 of the preceding year minus any part of such balance that the Secretary determines is necessary in order to enable the Secretary to defray, during the fiscal year in which the deposit is made, the expenses, payments, and costs described in

paragraph (3), and the amount in the reserve described in paragraph (4).

''(6) The Secretary shall prescribe regulations for the allocation of amounts in the reserve under paragraph (4) to the medical centers of the Department for the purposes stated in paragraph (3)(C). Those regulations shall be designed to provide incentives to directors of medical centers to increase the recoveries and collections under this section by requiring that 20 percent of those amounts be made available each year directly to the medical centers at which such recoveries and collections have been at above average levels. The remaining 80 percent of those funds shall be allocated as the Secretary considers appropriate.''.

Subtitle B—Closure of Certain Facilities

SEC. 12101. CLOSURE OF SUPPLY DEPOTS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall close the Department of Veterans Affairs' supply depots specified in subsection (b).

(b) COVERED DEPOTS.—Subsection (a) applies to the supply depots of the Department of Veterans Affairs at the following locations:

(1) Somerville, New Jersey.

(2) Hines, Illinois.

(3) Bell, California.

(c) DEADLINE.—The Secretary shall complete the actions required by subsection (a) not later than September 30, 1995.

SEC. 12102. WAIVER OF OTHER PROVISIONS.

Sections 510(b) and 8121 of title 38, United States Code, do not apply to the actions required under this subtitle.

Subtitle C—Provision of Information From the Medicare and Medicaid Coverage Data Bank to the Department of Veterans Affairs

SEC. 12201. PROVISION OF DATA BANK INFORMATION TO DEPARTMENT OF VETERANS AFFAIRS.

(a) ADDITIONAL PURPOSE OF DATA BANK.—

(1) The heading to section 1144 of the Social Security Act is amended by striking ''**medicare and medicaid**'' and inserting ''**Health care**''.

(2) Subsection (a) of that section is amended—

(A) in the matter preceding paragraph (1), by striking ''Medicare and Medicaid'' and inserting ''Health Care'';

(B) by striking ''and'' at the end of paragraph (1);

(C) by substituting '', and'' for the period at the end of paragraph (2); and

(D) by adding at the end the following:

''(3) assist in the identification of, and the collection from, third parties responsible for payment for health care items and services furnished to veterans under chapter 17 of title 38, United States Code.''.

(b) DISCLOSURE OF DATA BANK INFORMATION TO SECRETARY OF VETERANS AFFAIRS.—Subsection (b)(2)(B) of that section is amended by inserting ''to the Secretary of Veterans Affairs and'' after ''Data Bank''.

Subtitle D—Veterans' Appeals Improvements

SEC. 12301. BOARD OF VETERANS' APPEALS.

(a) BOARD MEMBERS AND PERSONNEL.—Section 7101(a) of title 38, United States Code, is amended to read as follows:

''(a)(1) There is in the Department a Board of Veterans' Appeals (hereinafter in this chapter referred to as the 'Board'). The Board is under the administrative control and supervision of a Chairman directly responsible to the Secretary.

''(2) The members of the Board shall be the Chairman, a Vice Chairman, such number of Deputy Vice Chairmen as the Chairman may designate under subsection (b)(4), and such number of other members as may be found necessary to conduct hearings and consider and dispose of matters properly before the Board in a timely manner. The Board shall have such other professional, administrative, clerical, and stenographic personnel as are necessary to conduct hearings and consider and dispose of matters properly before the Board in a timely manner.''.

(b) ETHICAL AND LEGAL LIMITATIONS ON CHAIRMAN.—Section 7101(b)(1) of such title is amended by inserting after the first sentence the following: ''The Chairman shall be subject to the same ethical and legal limitations and restrictions concerning involvement in partisan political activities as apply to judges of the United States Court of Veterans Appeals.''.

(c) APPOINTMENT AND REMOVAL OF BOARD MEMBERS.—Section 7101(b) of such title is further amended—

(1) in paragraph (2)(A) by striking ''other members of the Board (including the Vice Chairman)'' and inserting ''Board members other than the Chairman'';

(2) in paragraph (2)(B) by striking ''paragraph'' and inserting ''subparagraph''; and

(3) by striking paragraph (4) and inserting the following:

''(4) The Secretary shall designate one Board member as Vice Chairman based upon recommendations of the Chairman. The Chairman may designate one or more Board members as Deputy Vice Chairmen. The Vice Chairman and any Deputy Vice Chairman shall perform such functions as the Chairman may specify. The Vice Chairman shall serve as Vice Chairman at the pleasure of the Secretary. Any Deputy Vice Chairman shall serve as Deputy Vice Chairman at the pleasure of the Chairman.''.

(d) ACTING BOARD MEMBERS.—Section 7101(c) of such title is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) The Chairman may from time to time designate one or more employees of the Department to serve as acting Board members.'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2) and in that paragraph by—

(A) striking ''temporary Board members designated under this subsection and the number of''; and

(B) striking ''section 7102(a)(2)(A)(ii) of this title'' and inserting ''paragraph (1)''.

(e) CHAIRMAN'S ANNUAL REPORT.—Section 7101(d)(2) of such title is amended—

(1) by striking out ''and'' at the end of subparagraph (D);

(2) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof ''; and''; and

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

''(F) the names of those employees of the Department designated under subsection (c)(1) to serve as acting Board members during that year and the number of cases each such acting Board member participated in during that year.''.

(e) CONFORMING AMENDMENTS.—Section 7101 of such title is further amended—

(1) in subsection (d)(3)(B), by striking ''section 7103(d)'' and inserting ''section 7101(a)(2)''; and

(2) in subsection (e), by striking ''a temporary or'' and inserting ''an''

SEC. 12302. DECISIONS BY THE BOARD.

(a) ACTION BY BVA THROUGH SECTIONS.—Sections 7102 and 7103 of title 38, United States Code, are amended to read as follows:

''§ 7102. Decisions by the Board

''A proceeding instituted before the Board shall be assigned to an individual member or a panel of members of the Board (other than the Chairman). A member or panel of members who are assigned a proceeding shall render a decision thereon, including any motion filed in connection therewith. The member or panel of members shall make a report under section 7104(d) of this title on any such determination, which report shall constitute the Board's final disposition of the proceeding. Decisions by a panel shall be made by a majority of the members of the panel.

''§ 7103. Reconsideration; correction of obvious errors

''(a) The decision of a member or panel of the Board under section 7102 of this title is final unless the Chairman orders reconsideration of the case. Such an order may be made on the Chairman's initiative or upon motion of the claimant.

''(b)(1) If the Chairman orders reconsideration in a case decided by a single member, the matter shall be referred to a panel of not less than three Board members, not including the member who rendered the initial decision, which shall render its decision after reviewing the entire record before the Board. Such decisions shall be made by a majority vote of the members of the panel and shall constitute the final decision of the Board.

''(2) If the Chairman orders reconsideration in a case decided by a panel of members, the matter shall be referred to an enlarged panel, not including the members of the panel which rendered the initial decision, which shall render its decision after reviewing the entire record before the Board. Such decisions shall be made by a majority vote of the members of the expanded panel and shall constitute the final decision of the Board.

''(c) The Board on its own motion may correct an obvious error in the record, without regard to whether there has been a motion or order for reconsideration.''.

(b) CLERICAL AMENDMENT.—The items relating to sections 7102 and 7103 in the table of sections at the beginning of chapter 71 are amended to read as follows:

''7102. Decisions by the Board.
''7103. Reconsideration; correction of obvious errors.''.

SEC. 12303. TECHNICAL CORRECTION.

Section 7104(a) of title 38, United States Code, is amended by striking out ''211(a)'' and inserting in lieu thereof ''511(a)''.

SEC. 12304. HEARINGS.

(a) IN GENERAL.—Section 7110 of title 38, United States Code, is amended to read as follows:

''§ 7110. Hearings

''(a) The Board shall decide any appeal only after affording the appellant an opportunity for a hearing.

''(b) A hearing docket shall be maintained and formal recorded hearings shall be held by such member or members of the Board as the Chairman may designate. Such member or members designated by the Chairman to conduct the hearing will participate in making the final determination in the claim.

''(c)(1) An appellant may request a hearing before the Board at either its principal location or at a regional office of the Department. A hearing held at a regional office shall (except as provided in paragraph (2)) be scheduled for hearing in the order in which the requests for hearing in that area are received by the Department at the place specified by the Department for the filing of requests for those hearings.

''(2) In a case in which the Secretary is aware that the appellant is seriously ill or is under severe financial hardship, a hearing may be scheduled at a time earlier than would be provided under paragraph (1).

''(d) At the request of the Chairman, the Secretary may provide suitable facilities and equipment to the Board or other components of the Department to enable an appellant located at a facility within the area served by a regional office to participate, through voice transmission, or picture and voice transmission, by electronic or other means, in a hearing with a Board member or mem-

bers sitting at the Board's principal location. When such facilities and equipment are available, the Chairman may afford the appellant an opportunity to participate in a hearing before the Board through the use of such facilities and equipment in lieu of a hearing held by personally appearing before a Board member or members as provided in subsection (c). Any such hearing shall be conducted in the same manner as, and shall be considered the equivalent of, a personal hearing. If the appellant declines to participate in a hearing through the use of such facilities and equipment, the opportunity of the appellant to a hearing as provided in subsection (c) shall not be affected.''.

(b) CLERICAL AMENDMENT.—The item relating to section 7110 in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

''7110. Hearings.''.

SEC. 12305. ELIMINATION OF REQUIREMENT FOR ANNUAL INCOME QUESTIONNAIRES.

Section 1506 of title 38, United States Code, is amended—

(1) in paragraph (2), by striking out ''shall'' and inserting in lieu thereof ''may''; and

(2) in paragraph (3), by striking out ''file a revised report'' and inserting in lieu thereof ''notify the Secretary''.

TITLE XIII—HUMAN RESOURCE MANAGEMENT

SEC. 13001. FEDERAL WORKFORCE TRAINING.

(a) IN GENERAL.—Chapter 41 of title 5, United States Code, is amended—

(1) in section 4101(4) by striking ''fields'' and all that follows through the semicolon and inserting ''fields which will improve individual and organizational performance and assist in achieving the agency's mission and performance goals;'';

(2) in section 4103—

(A) in subsection (a)—

(i) by striking ''In'' and all that follows through ''maintain'' and inserting ''In order to assist in achieving an agency's mission and performance goals by improving employee and organizational performance, the head of each agency, in conformity with this chapter, shall establish, operate, maintain, and evaluate'';

(ii) by striking ''and'' at the end of paragraph (2);

(iii) by redesignating paragraph (3) as paragraph (4); and

(iv) by inserting after paragraph (2) the following:

''(3) provide that information concerning the selection and assignment of employees for training and the applicable training limitations and restrictions be made available to employees of the agency; and''; and

(B) in subsection (b)—

(i) in paragraph (1) by striking ''determines'' and all that follows through the period and inserting ''determines that such training would be in the interests of the Government.''; and

(ii) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(3) in section 4105—

(A) in subsection (a) by striking ''(a)''; and

(B) by striking subsections (b) and (c);

(4) by repealing section 4106;

(5) in section 4107—

(A) by amending the catchline to read as follows:

''§ 4107. Restriction on degree training'';

(B) by striking subsections (a) and (b) and redesignating subsections (c) and (d) as subsections (a) and (b), respectively;

(C) by amending subsection (a) (as so redesignated)—

(i) by striking ''subsection (d)'' and inserting ''subsection (b)''; and

(ii) by striking ''by, in, or through a non-Government facility''; and

(D) by amending paragraph (1) of subsection (b) (as so redesignated) by striking ''subsection (c)'' and inserting ''subsection (a)'';

(6) in section 4108(a) by striking ''by, in, or through a non-Government facility under this chapter'' and inserting ''for more than a minimum period prescribed by the head of the agency'';

(7) in section 4113(b)—

(A) in the first sentence by striking ''annually to the Office,'' and inserting ''to the Office, at least once every 3 years, and''; and

(B) by striking the matter following the first sentence and inserting the following: ''The report shall set forth—

''(1) information needed to determine that training is being provided in a manner which is in compliance with applicable laws intended to protect or promote equal employment opportunity; and

''(2) information concerning the expenditures of the agency in connection with training and such other information as the Office considers appropriate.'';

(8) by repealing section 4114; and

(9) in section 4118—

(A) in subsection (a)(7) by striking ''by, in, and through non-Government facilities'';

(B) by striking subsection (b); and

(C) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Title 5, United States Code, is amended—

(1) in section 3381(e) by striking ''4105(a),'' and inserting ''4105,''; and

(2) in the analysis for chapter 41—

(A) by repealing the items relating to sections 4106 and 4114; and

(B) by amending the item relating to section 4107 to read as follows:

''4107. Restriction on degree training.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall become effective on the date of enactment of this Act.

SEC. 13002. SES ANNUAL LEAVE ACCUMULATION.

(a) Effective on the last day of the last applicable pay period beginning in calendar year 1993, subsection (f) of section 6304 of title 5, United States Code, is amended to read as follows:

''(f)(1) This subsection applies with respect to annual leave accrued by an individual while serving in a position in—

''(A) the Senior Executive Service;

''(B) the Senior Foreign Service;

''(C) the Defense Intelligence Senior Executive Service;

''(D) the Senior Cryptologic Executive Service; or

''(E) the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service.

''(2) For purposes of applying any limitation on accumulation under this section with respect to any annual leave described in paragraph (1)—

''(A) '30 days' in subsection (a) shall be deemed to read '90 days'; and

''(B) '45 days' in subsection (b) shall be deemed to read '90 days'.''.

(b) Notwithstanding the amendment made by subsection (a), in the case of an employee who, on the effective date of subsection (a), is subject to subsection (f) of section 6304 of title 5, United States Code, and who has to such employee's credit annual leave in excess of the maximum accumulation otherwise permitted by subsection (a) or (b) of section 6304 (determined applying the amendment made by subsection (a)), such excess annual leave shall remain to the credit of the employee and be subject to reduction, in the same manner as provided in subsection (c) of section 6304.

TITLE XIV—REINVENTING SUPPORT SERVICES

SEC. 14001. SHORT TITLE.

This title may be cited as the ''Government Information Dissemination and Printing Improvement Act of 1993''.

SEC. 14002. TRANSFER OF FUNCTIONS.

(a) SUPERINTENDENT OF DOCUMENTS.—The position of Superintendent of Documents and all functions of the position of Superintendent of Documents under title 44, United States Code, or any other provision of law are transferred to the Library of Congress and shall be carried out by the Superintendent of Documents under the direction of the Librarian of Congress. The Superintendent of Documents shall be appointed by, and serve at the pleasure of, the Librarian of Congress. Until otherwise provided by law, on and after the effective date of the transfer under this subsection, the employees under the Superintendent of Documents who are transferred shall be treated, for purposes of the laws governing labor-management relations, in the same manner as such employees were treated before the effective date of such transfer.

(b) REVOCATION OF CHARTERS.—All printing plant charters authorized under section 501 of title 44, United States Code, are revoked.

(c) EFFECTIVE DATE.—The transfer under subsection (a) shall take effect one year after the date of the enactment of this title. The revocation under subsection (b) shall take effect 2 years after the date of the enactment of this title.

SEC. 14003. GOVERNMENT PUBLICATIONS TO BE AVAILABLE THROUGHOUT THE GOVERNMENT.

All Government publications shall be available throughout the Government to any department, agency, or entity of the Government for use or redissemination.

SEC. 14004. INVENTORY AND FURNISHING OF GOVERNMENT PUBLICATIONS.

Each department, agency, and other entity of the Government shall—

(1) establish and maintain a comprehensive inventory of its Government publications;

(2) make such inventory available through the electronic directory under chapter 41 of title 44, United States Code; and

(3) in the form and manner prescribed by the Superintendent of Documents, furnish its Government publications to the Superintendent of Documents.

SEC. 14005. ADDITIONAL RESPONSIBILITIES OF THE PUBLIC PRINTER.

(a) IN GENERAL.—The Public Printer shall, with respect to the executive branch of the Government and the judicial branch of the Government—

(1) use all necessary measures to remedy neglect, delay, duplication, and waste in the public printing and binding of Government publications, including the reduction and elimination of internal printing and high-speed duplicating capacities of departments, agencies, and entities;

(2) prescribe Government publishing standards, which, to the greatest extent practicable, shall be consistent with the United States Government Printing Office Style Manual;

(3) prescribe Government procurement and manufacturing requirements for printing paper and writing paper, which, to the greatest extent practicable, shall be consistent with Government Paper Specification Standards;

(4) authorize the acquisition and transfer of equipment requisitioned by publishing facilities authorized under section 501 of title 44, United States Code;

(5) authorize the disposal of such equipment pursuant to section 312 of title 44, United States Code; and

(6) establish policy for the acquisition of printing, which, to the greatest extent prac-

ticable, shall be consistent with (A) Printing Procurement Regulation (GPO Publication 305.3), (B) Government Printing and Binding Regulations (JCP No. 26), and (C) Printing Procurement Department Instruction (PP304.1B).

(b) POLICY STANDARDS.—The policy referred to in subsection (a)(6) shall be formulated to maximize competitive procurement from the private sector. Government in-house printing and duplicating operations authorized under section 501 of title 44, United States Code, or otherwise authorized by law, may be used if they provide printing at the lowest cost to the Government, taking into consideration the total expense of production, materials, labor, equipment, and general and administrative expense, including all levels of overhead.

SEC. 14006. ADDITIONAL RESPONSIBILITIES OF THE SUPERINTENDENT OF DOCUMENTS.

(a) GOVERNMENT PUBLICATIONS TO BE FURNISHED TO THE SUPERINTENDENT OF DOCUMENTS.—If a department, agency, or other entity of the Government publishes a Government publication, the head of the department, agency, or entity shall furnish the Government publication to the Superintendent of Documents not later than the date of release of the material to the public.

(b) DISSEMINATION OR REPUBLICATION.—In addition to any other dissemination provided for by law, the Superintendent of Documents shall disseminate or republish Government publications, if, as determined by the Superintendent, the dissemination by the department, agency, or entity of the Government is inadequate. The Superintendent shall have authority to carry out the preceding sentence by appropriate means, including the dissemination and republication of Government publications furnished under subsection (a), with the cost of dissemination and republication to be borne by the department, agency, or entity involved.

(c) COST.—The cost charged to the public by the Superintendent of Documents under subsection (b) for any Government publication (whether such Government publication is made available to the public by a department, agency, or entity of the Government, or by the Superintendent of Documents) may include the incremental cost of dissemination, but may not include any profit.

SEC. 14007. DEPOSITORY LIBRARIES.

In addition to any other distribution provided for by law, the Superintendent of Documents shall make Government publications available to designated depository libraries and State libraries. The Superintendent shall have authority to carry out the preceding sentence by appropriate means, including the dissemination and republication of Government publications furnished under section 14006(a), with the cost of dissemination and republication to be borne by the department, agency, or entity involved.

SEC. 14008. DEFINITIONS.

As used in this title—

(1) the term ''Government publication'' means any informational matter that is published at Government expense, or as required by law; and

(2) the term ''publish'' means, with respect to informational matter, make available for dissemination.

TITLE XV—STREAMLINING MANAGEMENT CONTROL

SEC. 15001. AUTHORITY TO INCREASE EFFICIENCY IN REPORTING TO CONGRESS.

(a) PURPOSE.—The purpose of this title is to improve the efficiency of Executive branch performance in implementing statutory requirements for reports to Congress and its committees. Examples of improvements in efficiency intended by this title are the elimination or consolidation of duplicative or obsolete reporting requirements and adjustments to deadlines that will provide for more efficient workload distribution or improve the quality of reports.

(b) AUTHORITY OF THE DIRECTOR.—The Director of the Office of Management and Budget may publish annually in the President's Budget his recommendations for consolidation, elimination, or adjustments in frequency and due dates of statutorily required periodic reports to the Congress or its committees. For each recommendation, the Director shall provide an individualized statement of the reasons that support the recommendation. In addition, for each report for which a recommendation is made, the Director shall state with specificity the exact consolidation, elimination, or adjustment in frequency or due date that is recommended. If the Director's recommendations are approved by law, they shall take effect.

(c) The Director's recommendations shall be consistent with the purpose stated in subsection (a).

(d) Prior to the publication of the recommendations authorized in subsection (b), the Director or his designee shall consult with the appropriate congressional committees concerning the recommendations.

TITLE XVI—FINANCIAL MANAGEMENT

SEC. 16001. SHORT TITLE.

This title may be cited as the ''Federal Financial Management Act of 1993''.

SEC. 16002. ELECTRONIC PAYMENTS.

(a) Section 3332 of title 31, United States Code, is amended to read as follows:

''§ 3332. Required direct deposit

''(a)(1) Notwithstanding any other provision of law, all Federal wage, salary, and retirement payments shall be paid to recipients of such payments by electronic funds transfer, unless another method has been determined by the Secretary of the Treasury to be appropriate.

''(2) Each recipient of Federal wage, salary, or retirement payments shall designate one or more financial institutions or other authorized payment agents and provide the payment certifying or authorizing agency information necessary for the recipient to receive electronic funds transfer payments through each institution so designated.

''(b)(1) The head of each agency shall waive the requirements of subsection (a) of this section for a recipient of Federal wage, salary, or retirement payments authorized or certified by the agency upon written request by such recipient.

''(2) Federal wage, salary, or retirement payments shall be paid to any recipient granted a waiver under paragraph (1) of this subsection by any method determined appropriate by the Secretary of the Treasury.

''(c)(1) The Secretary of the Treasury may waive the requirements of subsection (a) of this section for any group of recipients upon request by the head of an agency under standards prescribed by the Secretary of the Treasury.

''(2) Federal wage, salary, or retirement payments shall be paid to any member of a group granted a waiver under paragraph (1) of this subsection by any method determined appropriate by the Secretary of the Treasury.

''(d) This section shall apply only to recipients of Federal wage or salary payments who begin to receive such payments on or after January 1, 1995, and recipients of Federal retirement payments who begin to receive such payments on or after January 1, 1995.

''(e) The crediting of the amount of a payment to the appropriate account on the books of a financial institution or other authorized payment agent designated by a payment recipient under this section shall constitute a full acquittance to the United States for the amount of the payment.''.

(b) The table of sections for chapter 33 of title 31, United States Code, is amended by amending the item for section 3332 to read:

''3332. Required direct deposit.''.

SEC. 16003. FRANCHISE FUNDS AND INNOVATION FUNDS.

(a) Title 31, United States Code, is amended by adding, after section 1537, a section 1538, as follows:

''§ 1538. Franchise funds

''(a) There is hereby authorized to be established a franchise fund in any executive agency which does not have such a fund which shall be available, without further appropriation action by the Congress, for expenses and equipment necessary for the maintenance and operations of such administrative services as the head of the agency, with the approval of the Office of Management and Budget, determines may be performed more advantageously on a centralized basis.

''(b)(1) The fund shall consist of the fair and reasonable value of inventories, equipment, and other assets and inventories on order pertaining to the services to be provided by the fund as are transferred by the head of the agency to the fund less related liabilities and unpaid obligations together with any appropriations made for the purpose of providing capital.

''(2) For the first fiscal year a fund is in operation and each fiscal year thereafter, an amount not to exceed 4 percent of the total income of the fund may be retained in the fund, to remain available until expended, to be used only for the acquisition of capital equipment and for the improvement and implementation of agency financial management and related support systems.

''(3) For the first three fiscal years a fund is in operation, up to 50 percent of the unobligated balances of funds provided in annual appropriations available at the end of the fiscal year to the agency for salaries and expenses may be transferred into the fund no later than the end of the succeeding fiscal year.

''(c) The fund shall be reimbursed or credited with payments, including advance payments, from applicable appropriations and funds of the agency, other Federal agencies, and other sources authorized by law for supplies, materials, and services at rates which will recover the expenses of operations including accrued leave, depreciation of fund plant and equipment, and an amount necessary to maintain a reasonable operating reserve, as determined by the head of the agency.

''(d)(1) In the third fiscal year after the fund is established, and each year thereafter, any Federal entity seeking to obtain any service financed through the fund that is not inherently governmental in nature must not be precluded from obtaining such service from one or more other sources, either governmental or non-governmental, in addition to the source finance through the funds.

''(2) If, after the end of the third fiscal year after a fund is established, any Federal entity seeking to obtain any service financed through the fund that is not inherently governmental in nature is precluded from obtaining such service from one or more other sources, either governmental or non-governmental, in addition to the source financed through the fund, the fund shall be canceled.''.

(b) The table of sections for subchapter III of chapter 15 of title 31, United States Code, is amended by adding, after the item for section 1537, the following new item:

''1538. Franchise funds.''.

(c) Title 31, United States Code, is amended by adding, after section 1538, a section 1539, as follows:

''§ 1539. Innovation funds

''(a) There is hereby authorized to be established an innovation fund in any executive agency which does not have such a fund, which shall be available without further appropriation action by the Congress.

''(b) The purpose of the fund is to provide a self-sustaining source of financing for agencies to invest in projects designed to produce measurable improvements in agency efficiency and significant taxpayer savings. Amounts available in the fund may be borrowed by the agency for such projects, subject to subsection (e).

''(c) Each agency that establishes an innovation fund will develop an investment project selection process, including specific investment criteria such as return on investment, payback period, extent of matching or in-kind support (including such support from other Federal agencies), technical merit, and budget justification.

''(d) For the first three fiscal years a fund is in operation, up to 50 percent of the unobligated balances of funds provided in annual appropriations available at the end of the fiscal year to the agency (other than appropriations for salaries and expenses) may be transferred to and merged with the innovation fund to be available to make loans to agency components for projects designed to enhance productivity and generate cost savings, provided that such transfers occur no later than the end of the succeeding fiscal year.

''(e)(1) Any amounts borrowed from the fund by an agency component to finance a project selected under the process described in subsection (c) shall be repaid to the fund at the times specified in the repayment schedule agreed upon at the time the loan is made.

''(2) Interest on loans made by the fund shall be paid to the fund at the rate on marketable Treasury securities of similar maturity at the time the loan is made.

''(3) Repayments shall be made from the accounts anticipated to receive the greatest long-term benefit from the project at the time the loan is made.

''(4) Repayments to the fund shall take priority over any other obligation of payments of an account designated to make repayments under paragraph (3) of this subsection.''.

(d) The table of sections for subchapter III of chapter 15 of title 31, United States Code, is amended by adding, after the item for section 1538, the following new item:

''1539. Innovation funds.''.

SEC. 16004. SIMPLIFICATION OF MANAGEMENT REPORTING PROCESS.

(a) To improve the efficiency of Executive branch performance in implementing statutory requirements for general management and financial management reports to the Congress and its committees, the Director of the Office of Management and Budget may publish annually in the President's Budget his recommendations for consolidation, elimination, or adjustments in frequency and due dates of statutorily required periodic reports of agencies to the Office of Management and Budget or the President and of agencies or the Office of Management and Budget to the Congress under any laws for which the Office of Management and Budget has general management or financial management responsibility. For each recommendation, the Director shall provide an individualized statement of the reasons that support the recommendation. In addition, for each report for which a recommendation is made, the Director shall state with specificity the exact consolidation, elimination, or adjustment in frequency or due date that is recommended. If the Director's recommendations are approved by law, they shall take effect.

(b) The Director's recommendations shall be consistent with the purpose stated in subsection (a).

(c) Prior to the publication of the recommendations authorized in subsection (a), the Director or his designee shall consult with the appropriate congressional committees, including the House Committee on Government Operations and the Senate Committee on Governmental Affairs, concerning the recommendations.

SEC. 16005. ANNUAL FINANCIAL REPORTS.

(a) Section 3515 of title 31, United States Code, is amended to read as follows:

''§ 3515. Financial statements of agencies

''(a) Not later than March 1 of 1997 and each year thereafter, the head of each executive agency identified in section 901(b) of this title shall prepare and submit to the Director of the Office of Management and Budget an audited financial statement for the preceding fiscal year, covering all accounts and associated activities of each office, bureau, and activity of the agency.

''(b) Each audited financial statement of an executive agency under this section shall reflect—

''(1) the overall financial position of the offices, bureaus, and activities covered by the statement, including assets and liabilities thereof; and

''(2) results of operations of those offices, bureaus, and activities.

''(c) The Director of the Office of Management and Budget shall prescribe the form and content of the financial statements of executive agencies under this section, consistent with applicable accounting principles, standards, and requirements.

''(d) The Director of the Office of Management and Budget may waive the application of all or part of subsection (a).

''(e) Not later than March 1 of 1996, the head of each Executive agency identified in section 901(b) of this title and designated by the Director of the Office of Management and Budget shall prepare and submit to the Director of the Office of Management and Budget an audited financial statement for the preceding fiscal year, covering all accounts and associated activities of each office, bureau, and activity of the agency.

''(f) Not later than March 31 of 1994, 1995, and, for Executive agencies not designated by the Director of the Office of Management and Budget under subsection (e), 1996, the head of each Executive agency identified in section 901(b) of this title shall prepare and submit to the Director of the Office of Management and Budget a financial statement for the preceding fiscal year, covering—

''(1) each revolving fund and trust fund of the agency; and

''(2) to the extent practicable, the accounts of each office, bureau, and activity of the agency which performed substantial commercial functions during the preceding fiscal year.

''(g) for purposes of subsection (f), the term 'commercial functions' includes buying and leasing of real estate, providing insurance, making loans and loan guarantees, and other credit programs and any activity involving the provision of a service or thing for which a fee, royalty, rent, or other charge is imposed by an agency for services and things of value it provides.''.

(b) Subsection 3521(f) of title 31, United States Code, is amended to read as follows:

''(f)(1) For each audited financial statement required under subsections (a) and (e) of section 3515 of this title, the person who audits the statement for purpose of subsection (e) of this section shall submit a report on the audit to the head of the agency. A report under this subsection shall be prepared in accordance with generally accepted government auditing standards.

''(2) Not later than June 30 following the fiscal year for which a financial statement is submitted under subsection (f) of section 3515 of this title, the person who audits the statement for purpose of subsection (e) of this section shall submit a report on the audit to the head of the agency. A report under this subsection shall be prepared in accordance with generally accepted government auditing standards.''.

SEC. 16006. AUTHORIZATION OF APPROPRIATIONS FOR ENHANCING DEBT COLLECTION.

(a) Title 31, United States Code, is amended by adding, after section 3720A, a section 3720B, as follows:

''§ 3720B. Authorization of appropriations for enhancing debt collection

''(a) To the extent and in the amounts provided in advance in appropriations acts—

''(1) an amount not to exceed 1 percent of the delinquent debts collected for a program in one fiscal year is authorized to be credited in the following fiscal year to a special fund for such program;

''(2) an amount not to exceed 10 percent of any sustained annual increase in delinquent debt collections, as defined by the Director of the Office of Management and Budget, is authorized to be credited to a special fund for such program; and

''(3) from amounts credited under paragraphs (1) and (2), such sums as may be necessary are authorized to be appropriated for the improvement of that program's debt collection activities, including, but not limited to, account and loan servicing, delinquent debt collection and asset disposition.

''(b) Debt is defined as delinquent under standards prescribed or to be prescribed by the Secretary of the Treasury.

''(c) For direct loan and loan guarantee programs subject to Title V of the Congressional Budget Act of 1974, amounts credited in accordance with section (a) 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.

''(d) This section shall apply only to collection of debts—

''(1) for a program not within the Department of Justice; and

''(2) not involving the assistance of the Department of Justice.''.

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

''3720B. Authorization of appropriations for enhancing debt collection.''.

SEC. 16007. CONTRACTS FOR COLLECTION SERVICES.

(a) Subsection 3701(d) of Title 31, United States Code, is amended—

(1) by striking ''and 3716–3719'' and inserting in lieu thereof '', 3716, and 3717''; and

(2) by striking '', the Social Security Act (42 U.S.C. 301 et seq.),''.

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

''(e) Section 3718 of this title does not apply to a claim or debt under, or to an amount payable under, the Social Security Act (42 U.S.C. 301 et seq.) owed by a person receiving benefits under that Act or to a claim or debt under, or to an amount payable under, title 26 of the United States Code.''.

SEC. 16008. NOTIFICATION TO AGENCIES OF DEBTORS' MAILING ADDRESSES.

Section 3720A of title 31, United States Code is amended by striking ''the individual's home address.'' at the end of subsection (c) and inserting the following: ''the person's mailing address. Provision of this information is authorized by section 6103(m)(2) of the

Internal Revenue Code (26 U.S.C. 6103(m)(2)).''.

SEC. 16009. CONTRACTS FOR COLLECTION SERVICES.

Subparagraph 3718(B)(1)(A) of title 31, United States Code, is amended by striking the following: ''If the Attorney General makes a contract for legal services to be furnished in any judicial district of the United States under the first sentence of this paragraph, the Attorney General shall use his best efforts to obtain, from among attorneys regularly engaged in the private practice of law in such district, at least four such contracts with private individuals or firms in such district.''.

SEC. 16010. ADJUSTING CIVIL MONETARY PENALTIES FOR INFLATION.

The Federal Civil Penalties Inflation Adjustment Act of 1990 is amended by—

(1) amending section 4 to read as follows: ''The head of each agency shall—

''(1) by regulation, no later than September 30, 1994, and at least once every 4 years thereafter, 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 and publish each such adjustment in the Federal Register; and

''(2) provide a report to the Secretary of the Treasury by November 15 of each year on all penalties adjusted during the preceding fiscal year.'';

(2) amending subsection 5(a) by striking ''The adjustment described under paragraphs (4) and (5)(A) of section 4'' and inserting ''The inflation adjustment''; and

(3) adding, after section 6, a section 7, as follows: ''Section 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.''.

TITLE XVII—RESCISSIONS OF BUDGET AUTHORITY

SEC. 17001. SHORT TITLE.

This title may be cited as the ''Fiscal Year 1994 Rescission Act''.

Subtitle A—Department of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH SERVICE

(RESCISSION AND TRANSFER OF FUNDS)

Of the funds made available under this heading in Public Law 103–111 and subsequently transferred to the Human Nutrition Information Service pursuant to Secretary's Memorandum No. 1020–39, dated September 30, 1993, $1,000,000 are rescinded and the remaining funds are transferred to the Agricultural Research Service: *Provided*, That funds appropriated by Public Law 103–111 for the functions of the former Human Nutrition Information Service shall be made available only to the Agricultural Research Service.

COOPERATIVE STATE RESEARCH SERVICE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111, $14,279,000 are rescinded, including $4,375,000 for contracts and grants for agricultural research under the Act of August 4, 1965, as amended; $7,000,000 for competitive research grants; and $2,904,000 for necessary expenses of the Cooperative State Research Service.

BUILDINGS AND FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111, $2,897,000 are rescinded.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

(RESCISSION AND TRANSFER OF FUNDS)

Of the funds made available under this heading in Public Law 103–111 and subsequently transferred to the Agricultural Cooperative Service pursuant to Secretary's Memorandum No. 1020–39, dated September 30, 1993, $100,000 are rescinded and the remaining funds are transferred to the Rural Development Administration.

PAYMENTS TO STATES AND POSSESSIONS

(TRANSFER OF FUNDS)

Of the funds made available under this heading in Public Law 103–111 and subsequently transferred to the Agricultural Cooperative Service pursuant to Secretary's Memorandum No. 1020–39, dated September 30, 1993, $435,000 are transferred to the Rural Development Administration.

FARMERS HOME ADMINISTRATION

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111 for the cost of direct section 502 loans, $35,000,000 are rescinded.

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111 for the cost of direct loans, $20,000,000 are rescinded.

RURAL WATER AND WASTE DISPOSAL GRANTS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111, $25,000,000 are rescinded.

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111, $12,167,000 are rescinded.

FOOD AND NUTRITION SERVICE

COMMODITY SUPPLEMENTAL FOOD PROGRAM

(RESCISSION)

Of the funds made available under this heading in Public Law 102–341, $12,600,000 are rescinded.

FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

(RESCISSION)

Of the funds made available under this heading in Public Law 102–341, $6,000,000 are rescinded.

PUBLIC LAW 480 PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111 for commodities supplied in connection with title III, $20,000,000 are rescinded.

Subtitle B—Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT REVOLVING FUND

(RESCISSION)

Of the unobligated balances in the Economic Development Revolving Fund, $29,000,000 are rescinded.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

CONSTRUCTION

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–121, $3,000,000 are rescinded.

DEPARTMENT OF JUSTICE

ADMINISTRATIVE PROVISION

For fiscal year 1994 only, the Director of the Bureau of Justice Assistance, upon good cause shown, may waive the provisions of section 504(f) of the Omnibus Crime Control and Safe Streets Act of 1968 for projects located in communities covered under a Presidentially declared disaster pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

BUYING POWER MAINTENANCE

(RESCISSION)

Of the balances in the Buying Power Maintenance account, $8,800,000 are rescinded.

NEW DIPLOMATIC POSTS

(RESCISSION)

Of the funds made available for the United States Information Agency under this heading in Public Law 102–395, $1,000,000 are rescinded.

ADMINISTRATIVE PROVISION

Subject to enactment of legislation authorizing the Secretary of State to charge a fee or surcharge for processing machine readable non-immigrant visas and machine readable combined border crossing identification cards and non-immigrant visas, the Secretary of State may collect not to exceed $20,000,000 in additional fees or surcharges during fiscal year 1994 pursuant to such authority: *Provided*, That such additional fees shall be deposited as an offsetting collection to the Department of State, Administration of Foreign Affairs, ''Diplomatic and Consular Programs'' appropriation account and such fees shall remain available until expended: *Provided further*, That such collections shall be available only to modernize, automate, and enhance consular services and counterterrorism activities of the Department of State, to include the development and installation of automated visa and namecheck information systems, secure travel documents, worldwide telecommunications systems, and management systems to permit sharing of critical information regarding visa applicants and help secure America's borders.

THE JUDICIARY

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

DEFENDER SERVICES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–121, $3,000,000 are rescinded.

RELATED AGENCIES

BOARD FOR INTERNATIONAL BROADCASTING

ISRAEL RELAY STATION

(RESCISSION)

Of the funds made available under this heading, $1,700,000 are rescinded.

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

(INCLUDING RESCISSION)

Of the funds made available under this heading in Public Law 103–121, $1,177,000 are rescinded.

Notwithstanding the provisions of this or any other Act, not to exceed $2,000,000 of the funds made available under this heading in Public Law 103–121 may be used to carry out projects involving security construction and related improvements for Agency facilities not physically located together with Department of State facilities abroad: *Provided*, That such funds may remain available until expended.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–121, $850,000 are rescinded.

RADIO CONSTRUCTION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–121, $2,000,000 are rescinded.

Subtitle C—Energy and Water Development

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–377 and prior years' Energy and Water Development Appropriations Acts, $24,970,000 are rescinded.

CONSTRUCTION, GENERAL

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–377 and prior years' Energy and Water Development Appropriations Acts, $97,319,000 are rescinded.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

CONSTRUCTION PROGRAM

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–377 and prior years' Energy and Water Development Appropriations Acts, $16,000,000 are rescinded.

DEPARTMENT OF ENERGY

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–126, $97,300,000 are rescinded: *Provided,* That the reduction shall be taken as a general reduction, applied to each program equally, so as not to eliminate or disproportionately reduce any program, project, or activity in the Energy Supply, Research and Development Activities account as included in the reports accompanying Public Law 103–126.

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–377 and prior years' Energy and Water Development Appropriations Acts, $42,000,000 are rescinded.

Subtitle D—Foreign Operations, Export Financing, and Related Agencies

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

(RESCISSION)

Of the unexpended or unobligated balances made available for payment to the International Bank for Reconstruction and Development for the United States share of the paid-in share portion of the increases in capital stock for the General Capital Increase, $27,910,500 is rescinded.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

Notwithstanding Public Law 103–87, the United States Governor of the International Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of the increases in capital stock in an amount not to exceed $902,439,500.

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

(RESCISSION)

Of the unexpended or unobligated balances made available for payment to the Inter-American Development Bank by the Secretary of the Treasury, for the paid-in share portion of the United States share of the increase in capital stock $16,063,134 is rescinded.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

Notwithstanding Public Law 103–87, the United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of the increases in capital stock in an amount not to exceed $1,563,875,725.

CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

(RESCISSION)

Of the unexpended or unobligated balances made available for payment to the Asian Development Bank by the Secretary of the Treasury, for the paid-in share portion of the United States share of the increase in capital stock $13,026,366 is rescinded.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

Notwithstanding Public Law 103–87, the United States Governor of the Asian Development Bank may not subscribe in fiscal year 1994 to the callable capital portion of the United States share of any increases in capital stock.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

DEVELOPMENT ASSISTANCE

(RESCISSION)

Of the unexpended or unobligated balances (including earmarked funds) made available for fiscal years 1987 through 1993 to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961, as amended, $160,000,000 is rescinded: *Provided,* That funds rescinded under this paragraph are to be derived from the following countries in the following amounts: Guatemala, $8,000,000; Honduras, $5,000,000; India, $10,000,000; Indonesia, $15,000,000; Morocco, $10,000,000; Pakistan, $15,000,000; Peru, $5,000,000; Philippines, $10,000,000; Thailand, $10,000,000; and Yemen, $5,000,000: *Provided further,* That $10,000,000 of the funds rescinded under this paragraph are to be derived from non-country specific, centrally funded activities: *Provided further,* That $57,000,000 of the funds rescinded under this paragraph are to be derived from prior year deobligated funds.

ECONOMIC SUPPORT FUND

(RESCISSION)

Of the unexpended or unobligated balances of funds (including earmarked funds) made available for fiscal years 1987 through 1993 to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, $90,000,000 is rescinded: *Provided,* That funds rescinded under this paragraph are to be derived from the following countries in the following amounts: Kenya, $2,000,000; Liberia, $797,000; Oman, $18,000,000; Peru, $11,000,000; Philippines, $10,200,000; and Somalia, $3,003,000: *Provided further,* That $45,000,000 of the funds rescinded under this paragraph are to be derived from the Private Sector Power Project (No. 391–0494) for Pakistan.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

(RESCISSION)

Of the grant funds made available (including earmarked funds) under this heading in Public Law 102–391 and prior appropriations Acts, $66,000,000 is rescinded: *Provided,* That funds rescinded under this paragraph are to be derived from the following countries in the following amounts: Benin, $3,000; Cameroon, $161,000; Central African Republic, $59,000; Congo, $7,000; Cote D' Ivoire, $128,000; Equatorial Guinea, $86,000; Gabon, $3,000; Ghana, $600,000; Guatemala, $1,563,000; Guinea, $499,000; Kenya, $9,000,000; Liberia, $15,000; Madagascar, $505,000; Mali, $3,000; Malawi, $326,000; Mauritania, $300,000; Morocco, $8,000,000; Organization of American States, $6,000; Oman, $3,100,000; Pakistan, $8,108,000; Peru, $6,533,000; Philippines, $5,000,000; Rwanda, $250,000; Sao Tome & Principe, $228,000; Somalia, $4,349,000; Sudan, $8,609,000; Thailand, $1,384,000; Togo, $19,000; Tunisia, $4,100,000; Uganda, $100,000; Yemen, $2,241,000; Zambia, $100,000; Zaire, $455,000; and Zimbabwe, $160,000.

Subtitle E—Department of the Interior and Related Agencies

DEPARTMENT OF THE INTERIOR

U.S. FISH AND WILDLIFE SERVICE

CONSTRUCTION AND ANADROMOUS FISH

(RESCISSION)

Of the funds appropriated under this head in Public Law 100–446 and Public Law 102–154, $3,874,000 are rescinded.

DEPARTMENT OF THE TREASURY

BIOMASS ENERGY DEVELOPMENT

(RESCISSION)

Of the funds available under this head, $16,275,000 are rescinded.

DEPARTMENT OF ENERGY

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Section 303 of Public Law 97–257, as amended, is repealed.

The seventh proviso under the head ''Clean Coal Technology'' in Public Law 101–512, and the seventh proviso under the head ''Clean Coal Technology'' in Public Law 102–154, both concerning Federal employment, are repealed.

Subtitle F—Departments of Labor, Health and Human Services, Education, and Related Agencies

DEPARTMENT OF LABOR

(RESCISSION)

Of the amounts appropriated in Public Law 103–112 for salaries and expenses and administrative costs of the Department of Labor, $4,000,000 are rescinded.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

(RESCISSION)

Of the amounts appropriated in Public Law 103–112 for salaries and expenses and administrative costs of the Department of Health and Human Services (except the Social Security Administration), $37,500,000 are rescinded.

SOCIAL SECURITY ADMINISTRATION

SUPPLEMENTAL SECURITY INCOME PROGRAM

(RESCISSION)

Of the amounts appropriated in the first paragraph under this heading in Public Law 103–112, $10,909,000 are rescinded.

LIMITATION ON ADMINISTRATIVE EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–112 to invest in a state-of-the-art computing network, $80,000,000 are rescinded.

DEPARTMENT OF EDUCATION

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

(RESCISSION)

Of the amounts appropriated under this heading in Public Law 103–112 for salaries and expenses and administrative costs of the Department of Education, $8,500,000 are rescinded.

Subtitle G—Legislative Branch

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

(RESCISSION)

Of the amounts made available under this heading in Public Law 101–520, $633,000 are rescinded in the amounts specified for the following headings and accounts:

''ALLOWANCES AND EXPENSES'', $633,000, as follows:

''Official Expenses of Members'', $128,000; ''supplies, materials, administrative costs and Federal tort claims'', $125,000; ''net expenses of purchase, lease and maintenance of office equipment'', $364,000; and ''Government contributions to employees' life insurance fund, retirement funds, Social Security fund, Medicare fund, health benefits fund, and worker's and unemployment compensation'', $16,000.

Of the amounts made available under this heading in Public Law 102–90, $2,352,000 are rescinded in the amounts specified for the following headings and accounts:

''HOUSE LEADERSHIP OFFICES'', $253,000;

''COMMITTEE ON THE BUDGET (STUDIES)'', $4,000;

''STANDING COMMITTEES, SPECIAL AND SELECT'', $378,000;

''ALLOWANCES AND EXPENSES'', $943,000, as follows:

''Official Expenses of Members'', $876,000; and ''stenographic reporting of committee hearings'', $67,000;

''COMMITTEE ON APPROPRIATIONS (STUDIES AND INVESTIGATIONS)'', $595,000;

''SALARIES, OFFICERS AND EMPLOYEES'', $179,000, as follows:

''Office of the Postmaster'', $19,000; ''for salaries and expenses of the Office of the Historian'', $26,000; ''the House Democratic Steering and Policy Committee and the Democratic Caucus'', $73,000; and ''the House Republican Conference'', $61,000.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

CAPITOL BUILDINGS

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–392 and Public Law 103–69, $1,000,000 and $2,000,000, respectively, both made available until expended, are rescinded: *Provided*, That the Architect of the Capitol shall be considered the agency for purposes of the election in section 801(b)(2)(B) of the National Energy Conservation Policy Act and the head of the agency for purposes of subsection (b)(2)(C) of such section.

LIBRARY OF CONGRESS

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–69 and Public Law 98–396, $900,000 are rescinded.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–69, $1,300,000 are rescinded.

SUPPLEMENTAL APPROPRIATION

That the following sum is appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 1994, and for other purposes, namely:

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Karen A. Henry, widow of Paul B. Henry, late a Representative from the State of Michigan, $133,600.

Subtitle H—Department of Defense-Military

MILITARY CONSTRUCTION

(RESCISSIONS)

Of the funds appropriated under Public Law 103–110, the following funds are hereby rescinded from the following accounts in the specified amounts:

Military Construction, Army, $22,319,000;

Military Construction, Navy, $13,969,000;

Military Construction, Air Force, $24,787,000;

Military Construction, Defense-Wide, $13,663,000;

Military Construction, Army National Guard, $7,568,000;

Military Construction, Air National Guard, $6,187,000;

Military Construction, Army Reserve, $2,551,000;

Military Construction, Naval Reserve, $626,000;

Military Construction, Air Force Reserve, $1,862,000;

North Atlantic Treaty Organization Infrastructure, $70,000,000; and

Base Realignment and Closure Account, Part III, $437,692,000:

Provided, That, within funds available for ''Base Realignment and Closure Account, Part III'' for fiscal year 1994, not less than $200,000,000 shall be available solely for environmental restoration.

Subtitle I—Department of Transportation and Related Agencies

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

The funds provided for ''Small community air service'' under section 419 of the Federal Aviation Act of 1958, as amended, in excess of the funds made available for obligation in Public Law 103–122 are rescinded.

COAST GUARD

OPERATING EXPENSES

(RESCISSION)

Of the funds provided under this heading in Public Law 102–368, $5,000,000 are rescinded.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(RESCISSION)

Of the funds provided under this heading in Public Law 102–368, $2,000,000 are rescinded.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–122, $750,000 are rescinded.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances (including earmarked funds) under this heading, $29,451,111 are rescinded.

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the funds provided under the Airport and Airway Improvement Act of 1982, as amended, for grants-in-aid for airport planning and development and noise compatibility planning and programs, $488,200,000 of the amount in excess of the funds made available for obligation in Public Law 103–122 are rescinded.

FEDERAL HIGHWAY ADMINISTRATION

(RESCISSION)

Of the funds made available for specific highway projects that are not yet under construction, $85,774,222 are rescinded: *Provided*, That no funds shall be rescinded from any emergency relief project funded under section 125 of title 23, United States Code: *Provided further*, That for the purposes of this paragraph, a project shall be deemed to be not under construction unless a construction contract for physical construction has been awarded by the State, municipality, or other contracting authority.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

(RESCISSION)

Of the amounts provided under this heading in Public Law 102–388, $3,476,000 are rescinded.

Of the amounts provided under this heading in Public Law 101–516, $1,075,000 are rescinded.

Of the amounts provided under this heading in Public Law 101–164, $2,505,000 are rescinded.

FEDERAL TRANSIT ADMINISTRATION

DISCRETIONARY GRANTS

(HIGHWAY TRUST FUND)

(RESCISSION)

Any unobligated balances of funds made available for fiscal year 1991 and prior fiscal years under section 3 of the Federal Transit Act, as amended, and allocated to specific projects for the replacement, rehabilitation, and purchase of buses and related equipment, for construction of bus-related facilities, and for new fixed guideway systems are rescinded: *Provided*, That no funds provided for the Miami Metromover project shall be rescinded: *Provided further*, That of the funds provided under this heading in Public Law 103–122, $2,500,000 are rescinded.

Subtitle J—Treasury, Postal Service, and General Government

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103–123, $126,022,000, are rescinded and are not available in fiscal year 1994: *Provided*, That no individual prospectus-level new construction project may be reduced by more than 5 percent.

ADMINISTRATIVE PROVISION

SEC. 17101. Section 630 of the Treasury, Postal Service, and General Government Appropriations Act, 1993 (Public Law 102–393), and the amendment made by that section, are repealed.

Subtitle K—Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECTS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $26,000,000 are rescinded.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING PROGRAMS

HOMEOWNERSHIP AND OPPORTUNITY FOR PEOPLE EVERYWHERE GRANTS (HOPE GRANTS)

(RESCISSION)

Of the funds made available under this heading in Public Law 102–389 and Public Law 102–139, $66,000,000 are rescinded: *Provided*, That of the foregoing amount, $34,000,000 shall be deducted from the amounts earmarked for the HOPE for Public and Indian Housing Homeownership Program and $32,000,000 shall be deducted from the amounts earmarked for the HOPE for Homeownership of Multifamily Units Program.

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

(RESCISSION)

Of the funds made available under this heading in Public Law 102–389 and prior years, and earmarked for amendments to section 8 contracts other than contracts for projects developed under section 202 of the Housing Act of 1959, $25,000,000 are rescinded.

ASSISTANCE FOR THE RENEWAL OF EXPIRING SECTION 8 SUBSIDY CONTRACTS

(RESCISSION)

Of the funds made available under this heading in Public Law 102–389 and prior years, $20,000,000 are rescinded.

ADMINISTRATIVE PROVISION

Notwithstanding any other provision of law, the City of Slidell, Louisiana, is authorized to submit not later than 10 days following the enactment of this Act, and the Secretary of Housing and Urban Development shall consider, the final statement of community development objectives and projected use of funds required by section 104(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(a)(1)) in connection with a grant to the City of Slidell under title I of such Act for fiscal year 1994.

INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

WATER INFRASTRUCTURE/STATE REVOLVING FUNDS

(INCLUDING RESCISSION OF FUNDS)

Of the funds made available under this heading in Public Law 103–124, $22,000,000 are rescinded: *Provided*, That the $500,000,000 earmarked under this heading in Public Law 103–124 to not become available until May 31, 1994, shall instead not become available until September 30, 1994.

FEDERAL EMERGENCY MANAGEMENT AGENCY

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $2,000,000 are rescinded.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

RESEARCH AND DEVELOPMENT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $25,000,000 are rescinded.

CONSTRUCTION OF FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $25,000,000 are rescinded.

NATIONAL SCIENCE FOUNDATION

ACADEMIC RESEARCH INFRASTRUCTURE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $10,000,000 are rescinded.

NATIONAL SERVICE INITIATIVE

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $5,000,000 are rescinded.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

The proviso under this heading in Public Law 103–124 is repealed.

It was decided in the affirmative ..... { Yeas ..... 272 / Nays 163

¶140.22 [Roll No. 608]

AYES—272

Ackerman	Flake	McKinney
Andrews (ME)	Foglietta	McNulty
Andrews (TX)	Ford (MI)	Meehan
Applegate	Ford (TN)	Meek
Bacchus (FL)	Frank (MA)	Menendez
Baesler	Frost	Meyers
Barca	Furse	Mfume
Barcia	Gejdenson	Miller (CA)
Barlow	Gephardt	Mineta
Barrett (NE)	Geren	Minge
Barrett (WI)	Gibbons	Moakley
Becerra	Gilman	Mollohan
Beilenson	Glickman	Montgomery
Berman	Gonzalez	Moran
Bevill	Goodlatte	Morella
Bilbray	Gordon	Murphy
Bilirakis	Green	Murtha
Bishop	Gutierrez	Nadler
Blackwell	Hall (TX)	Natcher
Boehlert	Hamburg	Neal (MA)
Bonior	Hamilton	Neal (NC)
Borski	Harman	Norton (DC)
Boucher	Hastings	Oberstar
Brewster	Hayes	Obey
Brooks	Hefner	Olver
Browder	Hilliard	Ortiz
Brown (CA)	Hinchey	Orton
Brown (FL)	Hoagland	Owens
Brown (OH)	Hochbrueckner	Pallone
Bryant	Holden	Parker
Byrne	Hoyer	Pastor
Cantwell	Huffington	Payne (NJ)
Cardin	Hughes	Payne (VA)
Carr	Hutto	Pelosi
Chapman	Inslee	Peterson (FL)
Clay	Jefferson	Pickett
Clayton	Johnson (CT)	Pickle
Clement	Johnson (GA)	Pomeroy
Clyburn	Johnson (SD)	Porter
Coleman	Johnson, E. B.	Poshard
Collins (GA)	Johnston	Price (NC)
Collins (IL)	Kanjorski	Rahall
Collins (MI)	Kaptur	Rangel
Cooper	Kennedy	Reed
Coppersmith	Kennelly	Reynolds
Costello	Kildee	Richardson
Coyne	Kleczka	Roemer
Cramer	Klein	Rogers
Danner	Klink	Romero-Barcelo (PR)
Darden	Kopetski	Ros-Lehtinen
de la Garza	Kreidler	Rose
de Lugo (VI)	LaFalce	Rostenkowski
Deal	Lambert	Roth
DeFazio	Lancaster	Roukema
DeLauro	Lantos	Rowland
Dellums	LaRocco	Roybal-Allard
Derrick	Laughlin	Rush
Deutsch	Lazio	Sabo
Diaz-Balart	Lehman	Sanders
Dicks	Levin	Sangmeister
Dingell	Levy	Sarpalius
Dixon	Lewis (GA)	Sawyer
Dooley	Lipinski	Schenk
Duncan	Lloyd	Schroeder
Durbin	Long	Schumer
Edwards (CA)	Lowey	Scott
Edwards (TX)	Maloney	Serrano
Engel	Mann	Sharp
English (AZ)	Manton	Shays
English (OK)	Margolies-Mezvinsky	Shepherd
Eshoo	Markey	Sisisky
Evans	Martinez	Skaggs
Faleomavaega (AS)	Matsui	Skelton
Farr	Mazzoli	Slattery
Fazio	McCloskey	Slaughter
Fields (LA)	McCurdy	Smith (IA)
Filner	McDermott	Smith (MI)
Fingerhut	McHale	Spratt
Stark	Thompson	Washington
Stenholm	Thornton	Watt
Stokes	Thurman	Waxman
Strickland	Torres	Wheat
Studds	Torricelli	Whitten
Stupak	Towns	Williams
Swett	Tucker	Wilson
Swift	Unsoeld	Wise
Synar	Valentine	Woolsey
Tanner	Velazquez	Wyden
Tauzin	Vento	Wynn
Taylor (MS)	Visclosky	Yates
Tejeda	Volkmer	

NOES—163

Abercrombie	Goodling	Nussle
Allard	Goss	Oxley
Andrews (NJ)	Grams	Packard
Archer	Grandy	Paxon
Armey	Greenwood	Penny
Bachus (AL)	Gunderson	Peterson (MN)
Baker (CA)	Hancock	Petri
Baker (LA)	Hansen	Pombo
Ballenger	Hastert	Portman
Bartlett	Hefley	Pryce (OH)
Barton	Herger	Quillen
Bateman	Hobson	Quinn
Bentley	Hoekstra	Ramstad
Bereuter	Hoke	Ravenel
Bliley	Horn	Regula
Blute	Houghton	Roberts
Boehner	Hunter	Rohrabacher
Bonilla	Hutchinson	Royce
Bunning	Hyde	Santorum
Burton	Inglis	Saxton
Buyer	Inhofe	Schaefer
Callahan	Istook	Schiff
Calvert	Jacobs	Sensenbrenner
Camp	Johnson, Sam	Shaw
Canady	Kasich	Shuster
Castle	Kim	Skeen
Coble	King	Smith (NJ)
Combest	Kingston	Smith (OR)
Condit	Klug	Smith (TX)
Conyers	Knollenberg	Snowe
Cox	Kolbe	Solomon
Crane	Kyl	Spence
Crapo	Leach	Stearns
Cunningham	Lewis (CA)	Stump
DeLay	Lewis (FL)	Sundquist
Dickey	Lightfoot	Talent
Doolittle	Linder	Taylor (NC)
Dornan	Livingston	Thomas (CA)
Dreier	Machtley	Thomas (WY)
Dunn	Manzullo	Torkildsen
Emerson	McCandless	Traficant
Everett	McCollum	Underwood (GU)
Ewing	McCrery	Upton
Fawell	McDade	Vucanovich
Fields (TX)	McHugh	Walker
Fish	McInnis	Walsh
Fowler	McKeon	Waters
Franks (CT)	McMillan	Weldon
Franks (NJ)	Mica	Wolf
Gallegly	Michel	Young (AK)
Gallo	Miller (FL)	Young (FL)
Gekas	Mink	Zeliff
Gilchrest	Molinari	Zimmer
Gillmor	Moorhead	
Gingrich	Myers	

NOT VOTING—3

Clinger	Hall (OH)	Ridge

So the amendment in the nature of a substitute was agreed to.

After some further time,

¶140.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. PENNY:

Add at the end of the bill the following:

SECTION. 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Common Cents Deficit Reduction Act of 1993''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title and table of contents.

TITLE I—NATIONAL SECURITY

Sec. 101. Sense of Congress on increased burden sharing by allies of the United States.

Sec. 102. Streamlining and reorganization of Corps of Engineers.
Sec. 103. Rescission of certain defense add-ons.
Sec. 104. Rescission of funds for MK–19 grenade launcher program.
Sec. 105. Termination of C–26 aircraft program.
Sec. 106. Termination of mobile in-shore undersea warfare vans program.
Sec. 107. Rescission of certain defense operation and maintenance funds.
Sec. 108. Reduction in Public Law 480 Food for Peace Program.
Sec. 109. Rescission of funds for World Bank.
Sec. 110. Reduction in funding for International Development Association.
Sec. 111. Rescission of funds for foreign military financing.
Sec. 112. Rescission of funds for Agency for International Development, Department of state, and United States Information Agency.

TITLE II—PHYSICAL CAPITAL, NATURAL RESOURCES, AND SCIENCE

Sec. 201. Termination of spacelifter program.
Sec. 202. Department of Science, Space, Energy and Technology.
Sec. 203. Elimination of funding for MagLev prototype development program.
Sec. 204. Rescission of funds for federally sponsored university research and development.
Sec. 205. Recoupment of certain grants.
Sec. 206. Coverage of federally funded research and development centers by Competition in Contracting Act.
Sec. 207. Termination of modular high temperature gas reactor project.
Sec. 208. Department of Energy Facilities Closure and Reconfiguration Commission.
Sec. 209. Rescission of funds for fusion energy research and development.
Sec. 210. Rescission of funds for fossil energy research and development.
Sec. 211. Alaska Power Administration sale.
Sec. 212. Federal-private cogeneration of electricity.
Sec. 213. Termination of clean coal technology program.
Sec. 214. Rescission of funds from SPR petroleum account.
Sec. 215. Study of termination of helium subsidy.
Sec. 216. Rescission of funds for low-priority water projects.
Sec. 217. Preference for interim measures in Superfund response actions.
Sec. 218. Reservation of funds for disaster relief.
Sec. 219. Elimination of Weather Office closure certification procedures.
Sec. 220. Rescission of funds for NOAA research fleet.
Sec. 221. Rescission of funds for NOAA add-ons.
Sec. 222. Study concerning merger of Bureau of Reclamation and United States Army Corps of Engineers.
Sec. 223. Rescission of funds for agriculture building and facilities account.
Sec. 224. Repeal of authorizations for the airway science program, collegiate training initiative, and air carrier maintenance technician training facility grant program.
Sec. 225. Repeal of national recreational trails program.
Sec. 226. Rescission of funds for EDA.
Sec. 227. Elimination of funding for public telecommunications facilities.
Sec. 228. Moratorium on construction and acquisition of new Federal buildings.

TITLE III—GOVERNMENT MANAGEMENT

Sec. 301. Government information dissemination and printing improvement.
Sec. 302. Sense of Congress regarding reorganization of Bureau of Indian Affairs.
Sec. 303. Rescission of funds for printing and reproduction and for supplies and materials.
Sec. 304. Streamlining of Department of Housing and Urban Development.
Sec. 305. Termination of Interstate Commerce Commission.
Sec. 306. Rescission of funds from Tennessee Valley Authority Fund.
Sec. 307. Rescission of funds for Appalachian Regional Commission.
Sec. 308. Improvements to managment of veterans' hospitals.
Sec. 309. Rescission of funds for Legal Services Corporation.
Sec. 310. Termination State Justice Institute.
Sec. 311. Improvement of U.S. Marshals Service.
Sec. 312. Rescission of funds for BATF.
Sec. 313. Rescission of funds for construction of new Federal offices and courthouses.
Sec. 314. Limitation on office equipment and furnishings purchases by departing Members of House of Representatives.
Sec. 315. Rescission of funds for Executive Office of the President.
Sec. 316. Rescission of funds for Legislative Branch.
Sec. 317. Rescission of funds for House franking.
Sec. 318. Provisions relating to annual pay adjustments for Members of Congress.
Sec. 319. SES annual leave accumulation.
Sec. 320. Reduction of Federal full-time equivalent positions.
Sec. 321. Rescission of funds for travel accounts.
Sec. 322. Termination of Federal advisory committees.
Sec. 323. Increase in threshold for application of Davis-Bacon Act.
Sec. 324. Elimination of certain reports required on contracts covered by Davis-Bacon Act.
Sec. 325. Fees for applications for alcohol labeling and formula reviews.
Sec. 326. Increase in SEC registration fees.
Sec. 327. Travel, tourism, and export promotion fees.

TITLE IV—HUMAN RESOURCES

Sec. 401. Reduction in funding for arts and humanities programs.
Sec. 402. Elimination of operating subsidies for vacant public housing.
Sec. 403. Substitution of voucher assistance for public housing new construction.
Sec. 404. Reform of HUD multifamily property disposition.
Sec. 405. Termination of annual direct grant assistance.

TITLE V—SOCIAL SERVICES AND RETIREMENT

Sec. 501. Increase in retirement age under FERS to 65.
Sec. 502. Provision relating to Government contributions to the Thrift Savings Plan.
Sec. 503. Deferral until age 62 of cost-of-living adjustments for military retirees who first entered military service on or after January 1, 1994.
Sec. 504. Consolidation of certain social services programs into a single block grant program.
Sec. 505. Awards of Pell grants to prisoners prohibited.
Sec. 506. Elimination of education programs that have largely achieved their purpose.

TITLE VI—AGRICULTURE AND HEALTH CARE

Sec. 601. Department of Agriculture reorganization.
Sec. 602. Reduction in triple base for deficiency payments for basic agricultural commodities under agriculture programs.
Sec. 603. Imposition of 20 percent coinsurance on clinical laboratory services under Medicare.
Sec. 604. Imposition of 20 percent coinsurance on home health services under Medicare.
Sec. 605. Relating Medicare part B premium to income for certain high income individuals.
Sec. 606. Increase in Medicare hospital insurance deductible for certain high-income individuals.
Sec. 607. Establishment of standard payment rates for home health services.
Sec. 608. Eliminating Federal support for honey.

TITLE VII—ENFORCEMENT

Sec. 701. Dedication of savings to deficit reduction.

TITLE I—NATIONAL SECURITY

SEC. 101. SENSE OF CONGRESS ON INCREASED BURDEN SHARING BY ALLIES OF THE UNITED STATES.

(a) DEFENSE COST-SHARING AGREEMENTS.—It is the sense of Congress that the President should enter into negotiations with each foreign nation referred to in subsection (b)(1) that is not excluded by subsection (b)(2) to seek to conclude an agreement that provides for such nation to pay at least 50 percent of the overseas basing costs that are incurred for the stationing of members of the Armed Forces of the United States and related civilian employees of the Department of Defense in that nation as a result of the implementation of a bilateral or multilateral defense agreement with that nation.

(b) COVERED FOREIGN NATIONS.—(1) Except as provided in paragraph (2), subsection (a) applies with respect to the following foreign nations:

(A) Each member nation of the North Atlantic Treaty Organization (other than the United States).

(B) Every other foreign nation with which the United States has a bilateral or multilateral defense agreement that provides for the assignment of combat units of the Armed Forces of the United States to permanent duty ashore in that nation.

(2) Subsection (a) does not apply with respect to any foreign nation—

(A) that receives assistance or financing under—

(i) section 23 of the Arms Export Control Act (22 U.S.C. 2763), relating to the foreign military financing program; or

(ii) the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.);

(B) in which not more than 1,000 members of the Armed Forces of the United States and related civilian employees of the Department of Defense are assigned to permanent duty ashore as a result of the implementation of a bilateral or multilateral defense agreement; or

(C) that has agreed to assume, not later than January 1, 1995, at least 50 percent of the overseas basing costs of the United States in that nation.

(c) USE OF FUNDS FOR PAYING OVERSEAS BASING COSTS.—(1) It is the sense of Congress that funds should not be expended to pay more than the allowable percent of the overseas basing costs that are incurred during a fiscal year referred to in paragraph (2) for the stationing of members of the Armed Forces of the United States and related civilian employees of the Department of Defense in a nation referred to in subsection (a) as a result of the implementation of a bilateral or multilateral defense agreement with that nation.

(2) For purposes of paragraph (1), the allowable percent for a fiscal year is as follows:

(A) For fiscal year 1995, 84 percent.

(B) For fiscal year 1996, 75 percent.

(C) For fiscal year 1997, 60 percent.

(D) For each fiscal year that begins after September 30, 1997, 50 percent.

(d) OVERSEAS BASING COSTS DEFINED.—In this section, the term ''overseas basing costs'' means all costs related to the operation of installations in foreign countries at which forces of the Armed Forces of the United States are based, as determined by the Secretary of Defense using the methodology used in preparing the ''Fiscal Year 1994 Budget Estimate, Department of Defense'', dated April 1993, and the ''Report on Allied Contributions to the Common Defense'', dated May 1993. The term—

(1) includes, among other costs—

(A) pay for foreign nationals;

(B) costs of utilities;

(C) costs of local services;

(D) costs of military construction projects;

(E) costs of real property maintenance;

(F) costs of environmental restoration;

(G) leasing costs;

(H) taxes;

(I) user fees;

(J) tolls; and

(K) import duties;

(2) does not include—

(A) the rent value of land or facilities provided to the United States by foreign nations covered by this section in excess of amounts actually paid by such nations to private owners of such land or facilities; and

(B) revenue foregone by foreign nations covered by this section in providing rent-free land or facilities to the United States; and

(3) does not include the pay and allowances of members of the Armed Forces of the United States and civilian employees of the Department of Defense.

SEC. 102. STREAMLINING AND REORGANIZATION OF CORPS OF ENGINEERS.

The Secretary of the Army shall reorganize the United States Army Corps of Engineers by reorganizing the headquarters offices, reducing the number of division offices from 11 to not more than 6, and restructuring the district functions so as to increase the efficiency of the United States Army Corps of Engineers and reduce staff and costs, to achieve at least $50,000,000 in net annual savings by fiscal year 1998.

SEC. 103. RESCISSION OF CERTAIN DEFENSE ADD-ONS.

(a) MILITARY CONSTRUCTION.—Of the funds made available under the heading ''Military Construction, Army Reserve'' in the Military Construction Appropriations Act, 1994 (Pub. L. 103–110), $15,000,000 is rescinded, to be derived from the Georgia-Fort McPherson Command Headquarters, Phase I, project.

(b) DEFENSE PROCUREMENT.—Of the funds made available in the Department of Defense Appropriations Act, 1994 (Pub. L. 103–139), the following amounts are rescinded from the following accounts and programs:

(1) ''Other Procurement, Army'', $15,000,000, to be derived from common hardware and software.

(2) ''Other Procurement, Navy'', $30,000,000, to be derived from spare and repair parts.

(3) ''Other Procurement, Navy'', $12,000,000, to be derived from weapons range support equipment.

(4) ''Other Procurement, Army'', $10,000,000, to be derived from tactical trailers/dolly sets.

(5) ''Shipbuilding and Conversion, Navy'', $50,000,000, to be derived from advance procurement of LHD–7.

SEC. 104. RESCISSION OF FUNDS FOR MK–19 GRENADE LAUNCHER PROGRAM.

Of the funds made available under the heading ''Procurement of Weapons and Tracked Combat Vehicles, Army'' in the Department of Defense Appropriations Act, 1994 (Pub. L. 103–139), $15,000,000 is rescinded, to be derived from the MK–19 automatic grenade launcher program.

SEC. 105. TERMINATION OF C–26 AIRCRAFT PROGRAM.

The Secretary of Defense shall cancel the C–26 aircraft program. Funds appropriated for the Department of Defense may not be obligated after the date of the enactment of this Act for procurement of new aircraft under that program other than for contract termination or cancellation costs.

SEC. 106. TERMINATION OF MOBILE IN-SHORE UNDERSEA WARFARE VANS PROGRAM.

The Secretary of Defense shall cancel the Mobile In-Shore Undersea Warfare Vans program. Funds appropriated for the Department of Defense may not be obligated after the date of the enactment of this Act for procurement under that program other than for contract termination or cancellation costs.

SEC. 107. RESCISSION OF CERTAIN DEFENSE OPERATION AND MAINTENANCE FUNDS.

Of the funds made available in the Department of Defense Appropriations Act, 1994 (Pub. L. 103–139), the following amounts are rescinded from the following accounts:

(1) ''Operation and Maintenance, Army'', $88,020,000 to be derived from general reduction DBOF, and $15,180,000 to be derived from inventories.

(2) ''Operation and Maintenance, Navy'', $109,270,000 to be derived from general reduction DBOF, and $27,555,000 to be derived from inventories.

(3) ''Operation and Maintenance, Air Force'', $94,140,000 to be derived from general reduction DBOF, and $12,265,000 to be derived from inventories.

SEC. 108. REDUCTION IN PUBLIC LAW 480 FOOD FOR PEACE PROGRAM.

(a) IN GENERAL.—Section 103 of title I of the Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end the following:

''(f) MODIFICATION OF TERMS AND CONDITIONS DURING CERTAIN YEARS.—The Secretary shall set the terms and conditions of agreements entered into under this title after the date of the enactment of this subsection so that—

''(1) the length of the loan does not exceed 20 years;

''(2) the length of the grace period does not exceed 5 years;

''(3) the interest rate during the grace period is not less than 3 percent; and

''(4) the interest rate during the payback period is not less than 5 percent.''.

(b) RESCISSION OF FUNDS.—Of the funds made available under the heading ''Public Law 480 Program Account'' in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–111)—

(1) $69,378,000 is rescinded from the amounts provided for programs under title I of the Agricultural Trade Development and Assistance Act of 1954 and the Food for Progress Act of 1985; and

(2) $56,017,000 is rescinded from the amount provided for commodities supplied in connection with dispositions abroad pursuant to title III of the Agricultural Trade Development and Assistance Act of 1954.

SEC. 109. RESCISSION OF FUNDS FOR WORLD BANK.

Of the funds made available under the heading ''Contribution to the International Bank for Reconstruction and Development'' in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Pub. L. 103–87)—

(1) $27,910,500 provided for paid-in capital is rescinded; and

(2) $902,439,500 provided for callable capital is rescinded.

SEC. 110. REDUCTION IN FUNDING FOR INTERNATIONAL DEVELOPMENT ASSOCIATION.

(a) IN GENERAL.—Section 526 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Public Law 103–87) is amended by inserting before the period at the end '', of which not more than $957,142,857 shall be available for fiscal year 1994, and not more than $957,142,857 shall be available for fiscal year 1995''.

(b) RESCISSION OF FUNDS.—Of the funds made available under the heading ''Contribution to the International Development Association'' in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Pub. L. 103–87), $67,189,143 is rescinded.

SEC. 111. RESCISSION OF FUNDS FOR FOREIGN MILITARY FINANCING.

Of the funds made available under the heading ''Foreign Military Financing Program'' in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Pub. L. 103–87), $25,721,000 is rescinded, to be derived from grants.

SEC. 112. RESCISSION OF FUNDS FOR AGENCY FOR INTERNATIONAL DEVELOPMENT, DEPARTMENT OF STATE, AND UNITED STATES INFORMATION AGENCY.

(a) AID.—Of the funds made available under the heading ''Agency for International Development—Development Assistance Fund'' in appropriations Acts for fiscal year 1994 and prior fiscal years to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961, $160,000,000 is rescinded.

(b) DEPARTMENT OF STATE.—Of the funds made available under the heading ''Department of State—Administration of Foreign Affairs—Diplomatic and Consular Programs'' in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–121), $600,000 is rescinded.

(c) USIA.—

(1) SALARIES AND EXPENSES.—Of the funds made available under the heading ''United States Information Agency—Salaries and Expenses'' in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–121), $3,000,000 is rescinded.

(2) NORTH/SOUTH CENTER.—Of the funds made available under the heading ''United States Information Agency—North/South Center'' in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–121), $8,700,000 is rescinded.

TITLE II—PHYSICAL CAPITAL, NATURAL RESOURCES, AND SCIENCE

SEC. 201. TERMINATION OF SPACELIFTER PROGRAM.

(a) IN GENERAL.—The United States shall not obligate any funds for the acquisition or operation of any space launch system not in operation as of the date of enactment of this Act.

(b) RESCISSION OF FUNDS.—Of the funds made available under the heading ''Research,

Development, Test and Evaluation, Defense-Wide'' in the Department of Defense Appropriations Act, 1994 (Pub. L. 103–139), $10,000,000 is rescinded, to be derived from the new medium lift vehicle (Spacelifter) program.

SEC. 202. DEPARTMENT OF SCIENCE, SPACE, ENERGY AND TECHNOLOGY.

(a) SHORT TITLE.—This section may be cited as the ''Department of Science, Space, Energy, and Technology Organization Act of 1993''.

(b) GENERAL PROVISIONS.—

(1) FINDINGS.—The Congress finds that—

(A) the advancement of science and technology is a vital national goal which is essential for the continued economic well being of the United States;

(B) the creation of new scientific information and technological development are generators of new wealth and jobs;

(C) consolidation of the Federal agencies which conduct and support science and technology activities will focus the resources of the Federal Government and will lead to better coordination of the overall effort of those agencies to carry out the research and development objectives of the United States;

(D) the elimination of duplication of functions within the scientific and technical agencies of the Federal Government will lead to cost savings for the Government; and

(E) the creation of the Department of Science, Space, Energy, and Technology will increase the dissemination of technology through the improved coordination of technology transfer from the Federal Government to the private sector.

(2) DEFINITIONS.—As used in this section, unless otherwise provided or indicated by the context—

(A) the term ''Department'' means the Department of Science, Space, Energy, and Technology;

(B) the term ''Secretary'' means the Secretary of Science, Space, Energy, and Technology;

(C) the term ''Deputy Secretary'' means the Deputy Secretary of Science, Space, Energy, and Technology;

(D) the term ''function'' includes any duty, obligation, power, authority, responsibility, right, privilege, activity, or program; and

(E) the term ''office'' includes any office, institute, council, unit, or organizational entity, or any component thereof.

(c) ESTABLISHMENT OF THE DEPARTMENT.—

(1) ESTABLISHMENT.—There is authorized an executive department to be known as the Department of Science, Space, Energy, and Technology. The Department shall be administered, in accordance with the provisions of this section, under the supervision and direction of a Secretary of Science, Space, Energy, and Technology. The Secretary shall be appointed by the President, by and with the advice and consent of the Senate. The Secretary shall receive basic pay at the rate payable for level I of the Executive Schedule under section 5312 of title 5, United States Code.

(2) PRINCIPAL OFFICERS.—

(A) DEPUTY SECRETARY.—(i) There shall be in the Department a Deputy Secretary of Science, Space, Energy, and Technology who shall be appointed by the President, by and with the advice and consent of the Senate. During the absence or disability of the Secretary, or in the event of a vacancy in the office of the Secretary, the Deputy Secretary shall act as Secretary. The Secretary shall designate the order in which other officials of the Department shall act for and perform the functions of the Secretary during the absence or disability of both the Secretary and Deputy Secretary or in the event of vacancies in both of those offices. The Deputy Secretary shall receive basic pay at the rate payable for level II of the Executive Schedule under section 5313 of title 5, United States Code.

(ii) The Deputy Secretary shall perform such other duties and exercise such powers as the Secretary may from time to time prescribe.

(B) UNDER SECRETARIES.—(i) There shall be in the Department—

(I) an Under Secretary of Research who shall, on the transfer of functions and offices under subsection (d), serve as the Director of the National Science Foundation;

(II) an Under Secretary of Technology who shall, on the transfer of functions and offices under subsection (d), serve as the Administrator of the National Institute of Standards and Technology, the National Technical Information Service, the National Telecommunications and Information Administration, and the Patent and Trademark Office;

(III) an Under Secretary of Energy who shall, on the transfer of functions and offices under subsection (d), serve as the Administrator of the National Energy Administration;

(IV) an Under Secretary of Space who shall, on the transfer of functions and offices under subsection (d), serve as the Administrator of the National Aeronautics and Space Administration; and

(V) an Under Secretary of Oceanic and Atmospheric Affairs who shall, on the transfer of functions and offices under subsection (d), serve as the Administrator of the National Oceanic and Atmospheric Administration.

(ii) Each of the Under Secretaries shall be appointed by the President, by and with the advice and consent of the Senate. The Under Secretaries shall receive basic pay at the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(C) ASSISTANT SECRETARIES.—(i) There shall be as many as 20 Assistant Secretaries in the Department. Among the Assistant Secretaries shall be—

(I) an Assistant Secretary for Administration who shall serve as the Chief Financial Officer of the Department;

(II) an Assistant Secretary for Policy and Budget;

(III) an Assistant Secretary for Congressional and Intergovernmental Affairs;

(IV) an Assistant Secretary for Technology Transfer and Commercial Programs; and

(V) an Assistant Secretary for International Programs.

(ii) Each of the Assistant Secretaries shall be appointed by the President, by and with the advice and consent of the Senate. The Assistant Secretaries shall receive basic pay at the rate payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(D) GENERAL COUNSEL.—There shall be in the Department a General Counsel who shall administer the Office of General Counsel. The General Counsel shall be appointed by the President, by and with the advice and consent of the Senate. The General Counsel shall receive basic pay at the rate payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(E) INSPECTOR GENERAL.—There shall be in the Department an Inspector General appointed in accordance with the Inspector General Act of 1978. The Inspector General shall receive basic pay at the rate payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(F) ADDITIONAL OFFICERS.—In addition to the officers specified in subparagraphs (A) through (E) and the 24 members of the Board of Directors of the National Science Foundation, there shall be in the Department not more than 10 additional officers who shall be appointed by the President, by and with the advice and consent of the Senate. The officers appointed under this subparagraph shall perform such functions as the Secretary shall prescribe.

(G) SPECIFICATION OF FUNCTIONS.—Whenever the President submits the name of an individual to the Senate for confirmation as an officer of the Department under this paragraph, the President shall state the particular functions of the Department such individual will exercise upon taking office, consistent with the requirements of this section.

(H) LINE OF AUTHORITY; ADDITIONAL FUNCTIONS.—Each officer of the Department referred to in subparagraphs (A) through (F) shall report directly to the Secretary and shall, in addition to any functions vested in or required to be delegated to such officer, perform such additional functions as the Secretary may prescribe.

(d) TRANSFERS OF FUNCTIONS AND OFFICES.—

(1) TRANSFER OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.—There is transferred to the Department the National Aeronautics and Space Administration, along with all of its functions and offices.

(2) TRANSFER OF THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—There is transferred to the Department the National Institute of Standards and Technology, along with all of its functions and offices.

(3) TRANSFER OF THE NATIONAL SCIENCE FOUNDATION.—There is transferred to the Department the National Science Foundation, along with all of its functions and offices.

(4) TRANSFER OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—There is transferred to the Department the National Oceanic and Atmospheric Administration, along with all of its functions and offices.

(5) TRANSFER OF THE NATIONAL TECHNICAL INFORMATION SERVICE.—There is transferred to the Department the National Technical Information Service, along with all of its functions and offices.

(6) TRANSFER OF THE PATENT AND TRADEMARK OFFICE.—There is transferred to the Department the Patent and Trademark Office, along with all of its functions and offices.

(7) TRANSFER OF THE DEPARTMENT OF ENERGY.—There is transferred to the Department the Department of Energy, which shall be renamed the National Energy Administration, along with all of its functions and offices, except for the following facilities, which shall be transferred to the Department of Defense:

(A) The Feed Materials Production Center at Fernald, Ohio.

(B) The Extrusion Plant at Ashtabula, Ohio.

(C) The Savannah River Plant, including the Savannah River Weapons Facility, at Aiken, South Carolina.

(D) The Hanford Production Operations at Richland, Washington.

(E) The Nevada Test Site.

(F) The Kansas City Plant at Kansas City, Missouri.

(G) The Rocky Flats Plant located between Golden and Boulder, Colorado.

(H) The Pantex Plant located near Amarillo, Texas.

(I) The Pinellas Plant at St. Petersburg, Florida.

(J) The Mound Facility at Miamisburg, Ohio.

(K) The Y–12 Plant at Oak Ridge, Tennessee.

(8) TRANSFER OF THE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION.—There is transferred to the Department the National Telecommunications and Information Administration, along with all of its functions and offices.

(9) EFFECTIVE DATE.—This subsection shall take effect—

(A) 180 days after the first Secretary takes office under subsection (c)(1); or

(B) on any date earlier than the date described in subparagraph (A), but later than September 30, 1994, that the President designates through publication in the Federal Register.

(e) ADMINISTRATIVE PROVISIONS.—

(1) PERSONNEL PROVISIONS.—

(A) OFFICERS AND EMPLOYEES.—

(i) GENERAL AUTHORITY.—The Secretary is authorized to appoint and fix the compensation of such officers and employees as may be necessary to carry out the functions of the Secretary and the Department. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with title 5 of the United States Code.

(ii) TEMPORARY SUPER GRADE AND TECHNICAL POSITIONS.—(I)(aa) At the request of the Secretary, the Director of the Office of Personnel Management shall, under section 5108 of title 5, United States Code, provide for the establishment in each of the grade levels GS–16, GS–17, and GS–18 of a number of positions in the Department equal to the number of positions in that grade level which were used primarily for the performance of functions and offices transferred under subsection (d) and which were assigned and filled on the day before such transfer.

(bb) Appointments to positions provided for under this subclause may be made without regard to the provisions of section 3324 of title 5, United States Code, if the individual appointed in such position is an individual who is transferred in connection with the transfer of functions and offices under subsection (d) and, on the day before such transfer, holds a position and has duties comparable to those of the position to which appointed hereunder.

(II) At the request of the Secretary, the Director of the Office of Personnel Management shall, under section 3104 of title 5, United States Code, provide for the establishment in the Department of a number of scientific and professional positions outside of the General Schedule equal to the number of such positions which were used primarily for the performance of functions and offices transferred under subsection (d) and which were assigned and filled on the day before such transfer.

(III) The authority under this clause with respect to any position shall terminate when the person first appointed to fill such position ceases to hold such position.

(IV) For purposes of section 414(a)(3)(A) of the Civil Service Reform Act of 1978, an individual appointed under this clause shall be deemed to occupy the same position as the individual occupied on the day before the transfer of functions and offices under subsection (d).

(iii) TRANSITIONAL SENIOR EXECUTIVE SERVICE POSITIONS.—Notwithstanding any other provision of law, the Director of the Office of Personnel Management shall establish positions within the Senior Executive Service for 5 limited-term appointees. The Secretary shall appoint individuals to such positions as provided by section 3394 of title 5, United States Code. Such positions shall expire on the later of 3 years after the date of the transfer of functions and offices under subsection (d) or 3 years after the initial appointment to each position. Positions in effect under this clause shall be taken into account in applying the limitation on positions prescribed under section 3134(e) and section 5108 of such title.

(B) EXPERTS AND CONSULTANTS.—The Secretary may as provided in appropriation Acts obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, and may compensate such experts and consultants at rates not to exceed the daily rate prescribed for GS–18 of the General Schedule under subchapter III of chapter 53 of such title.

(C) PERSONNEL REDUCTION.—

(i) FULL-TIME EMPLOYEE LIMITATIONS.—Not later than the end of the first fiscal year beginning after the date of the transfer of functions and offices under subsection (d), the number of full-time equivalent personnel positions available for performing functions transferred to the Secretary or the Department under such subsection shall be reduced by not less than 350.

(ii) COMPUTATIONS.—Computations required to be made for purposes of this subparagraph shall be made on the basis of all personnel employed by the Department, including experts and consultants employed under section 3109 of title 5, United States Code, and all other part-time and full-time personnel employed to perform functions of the Secretary or the Department, except personnel employed under special programs for students and disadvantaged youth (including temporary summer employment).

(iii) REPORT TO CONGRESS.—The Director of the Office of Personnel Management shall, as soon as practicable, but not later than one year after the date of the transfer of functions and offices under subsection (d), prepare and transmit to the Congress a report on the effects on employees of the reorganization under this section, which shall include—

(I) an identification of any position within the Department or elsewhere in the executive branch, which it considers unnecessary due to consolidation of functions under this section;

(II) a statement of the number of employees entitled to grade or pay retention under subchapter VI of chapter 53 of title 5, United States Code, by reason of the reorganization under this section;

(III) a statement of the number of employees who are voluntarily or involuntarily separated by reason of such reorganization;

(IV) an estimate of the personnel costs associated with such reorganization;

(V) the effects of such reorganization on labor management relations; and

(VI) such legislative and administrative recommendations for improvements in personnel management within the Department as the Director considers necessary.

(2) GENERAL ADMINISTRATIVE PROVISIONS.—

(A) GENERAL AUTHORITY.—In carrying out any function transferred by this section, the Secretary, or any officer or employee of the Department, may exercise any authority available by law with respect to such function to the official or agency from which such function is transferred, and the actions of the Secretary in exercising such authority shall have the same force and effect as when exercised by such official or agency.

(B) DELEGATION.—Except as otherwise provided in this section, the Secretary may delegate any function to such officers and employees of the Department as the Secretary may designate, and may authorize such successive redelegations of such functions within the Department as may be necessary or appropriate. No delegation of functions by the Secretary under this subparagraph or under any other provision of this section shall relieve the Secretary of responsibility for the administration of such functions.

(C) REORGANIZATION.—

(i) AUTHORITY OF SECRETARY.—Except as provided in clause (ii), the Secretary is authorized to allocate or reallocate functions among the officers of the Department, and to establish, consolidate, alter, or abolish such offices or positions within the Department as may be necessary or appropriate.

(ii) AUTHORITY WITH RESPECT TO STATUTORY ENTITIES.—The Secretary may not—

(I) abolish any office or position transferred to the Department and established by statute, or any function vested by statute in such an office or an officer of such an office;

(II) abolish any office or position established by this section; or

(III) alter the delegation of functions to any specific office or position required by this section,

unless a period of 90 days has passed after the receipt by the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives of notice given by the Secretary containing a full and complete statement of the action proposed to be taken pursuant to this clause and the facts and circumstances relied upon in support of such proposed action.

(D) REGULATIONS.—The Secretary is authorized to prescribe such rules and regulations as the Secretary determines necessary or appropriate to administer and manage the functions of the Secretary or the Department, in accordance with chapter 5 of title 5, United States Code.

(E) CONTRACTS.—

(i) IN GENERAL.—Subject to the Federal Property and Administrative Services Act of 1949 and other applicable Federal law, the Secretary is authorized to make, enter into, and perform such contracts, grants, leases, cooperative agreements, and other similar transactions with Federal or other public agencies (including State and local governments) and private organizations and persons, and to make such payments, by way of advance or reimbursement, as the Secretary may determine necessary or appropriate to carry out functions of the Secretary or the Department.

(ii) APPROPRIATION AUTHORITY REQUIRED.—No authority to enter into contracts or to make payments under this section shall be effective except to such extent or in such amounts as are provided in advance under appropriation Acts. This subsection shall not apply with respect to the authority granted under subparagraph (J).

(F) REGIONAL AND FIELD OFFICES.—The Secretary is authorized to establish, alter, discontinue, or maintain such regional or other field offices as the Secretary may find necessary or appropriate to perform functions of the Secretary or the Department.

(G) ACQUISITION AND MAINTENANCE OF PROPERTY.—

(i) AUTHORITY OF SECRETARY.—To the extent necessary to carry out functions under this and any other Act, the Secretary is authorized to provide appropriate facilities and services necessary for carrying out such functions or necessary for the health and welfare of the Department's employees, including—

(I) to acquire (by purchase, lease, condemnation, contract, or otherwise), construct, improve, repair, operate, maintain, and provide transportation to—

(aa) schools and related facilities;

(bb) laboratories;

(cc) research and testing sites and facilities;

(dd) quarters and related accommodations, including eating facilities, for employees and dependents of employees of the Department; and

(ee) personal property (including patents), or any interest therein; and

(II) to provide reimbursement for food, clothing, medicine, and other supplies furnished by such employees in emergencies for the temporary relief of distressed persons.

(ii) LIMITATION.—The authority granted by clause (i) shall be available only with respect to facilities of a special purpose nature or at a remote location that cannot readily be re-

assigned from similar Federal activities and are not otherwise available for assignment to the Department by the Administrator of General Services.

(H) USE OF FACILITIES.—

(i) AUTHORITY TO USE.—With their consent, the Secretary may, with or without reimbursement, use the research, equipment, services, and facilities of any agency or instrumentality of the United States, of any State or political subdivision thereof, or of any foreign government, in carrying out any function of the Secretary or the Department.

(ii) AUTHORITY TO PERMIT USE.—The Secretary is authorized to permit public and private agencies, corporations, associations, organizations, or individuals to use any real property, or any facilities, structures, or other improvements thereon, under the custody and control of the Secretary for Department purposes. The Secretary shall permit the use of such property, facilities, structures, or improvements under such terms and rates and for such period as may be in the public interest, except that the periods of such uses may not exceed 5 years. The Secretary may require permittees under this subparagraph to recondition and maintain, at their own expense, the real property, facilities, structures, and improvements used by such permittees to a standard satisfactory to the Secretary. This clause shall not apply to excess property as defined in section 3(e) of the Federal Property and Administrative Services Act of 1949.

(iii) CREDITING OF REIMBURSEMENTS.—Proceeds from reimbursements under this subparagraph shall be deposited in a separate fund which shall be available to the Secretary without appropriation or fiscal year limitation, for carrying out the functions of the Secretary under this or any other Act.

(iv) INTERESTS IN REAL PROPERTY.—Any interest in real property acquired pursuant to this section shall be acquired in the name of the United States Government.

(I) COPYRIGHTS AND PATENTS.—

(i) ACQUISITION OF RIGHTS.—The Secretary is authorized to acquire any of the following described rights if the rights acquired thereby are for use by or for, or useful to, the Department:

(I) Copyrights, patents, designs, processes, and manufacturing data.

(II) Licenses in connection with copyrights and patents.

(III) Releases for past infringement of patents or copyrights.

(ii) DISPOSITION.—Notwithstanding clause (i), the disposition of all copyrights and patents and other intellectual property owned or developed for the Department shall be governed by chapter 18 of title 35, United States Code (commonly referred to as the Bayh-Dole Act), section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710(a)), the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451 et seq.), or the National Competitiveness Technology Transfer Act of 1989, as appropriate.

(J) GIFTS AND BEQUESTS.—The Secretary is authorized to accept, hold, administer, and utilize gifts, bequests, and devises of property, both real and personal, for the purpose of aiding or facilitating the work of the Department. Gifts, bequests, and devises of money, and proceeds from sales of other property received as gifts, bequests, or devises, shall be deposited in the Treasury and shall be available for disbursement upon the order of the Secretary.

(K) TECHNICAL ADVICE.—

(i) AUTHORITY TO PROVIDE.—The Secretary is authorized, upon request, to provide advice, counsel, and technical assistance to applicants or potential applicants for grants and contracts and other interested persons with respect to any functions of the Secretary or the Department.

(ii) CONSOLIDATION OF APPLICATIONS.—The Secretary may permit the consolidation of applications for grants or contracts with respect to two or more functions of the Secretary or the Department, but such consolidation shall not alter the statutory criteria for approval of applications for funding with respect to such functions.

(L) WORKING CAPITAL FUND.—

(i) ESTABLISHMENT AND USE.—The Secretary, with the approval of the Director of the Office of Management and Budget, is authorized to establish for the Department a working capital fund (in this subparagraph referred to as the ''fund''), to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of an administrative services office to provide such common administrative services as the Secretary shall find to be desirable in the interests of economy and efficiency, including such services as—

(I) a central supply service for stationery and other supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department and its offices;

(II) central messenger, mail, telephone, and other communications services;

(III) office space, and central services for document reproduction, for graphics, and for visual aids; and

(IV) a central library service.

(ii) OPERATION OF FUND.—The capital of the fund shall consist of any appropriations made for the purpose of providing working capital and the fair and reasonable value of such stocks of supplies, equipment, and other assets and inventories on order as the Secretary may transfer to the administrative services office, less the related liabilities and unpaid obligations. There shall be transferred to the administrative services office the stocks of supplies, equipment, other assets, liabilities, and unpaid obligations relating to the services which the Secretary determines, with the approval of the Director of the Office of Management and Budget, will be performed. Administrative supplies and services provided by such office shall be paid for in advance from available funds of agencies and offices in the Department, or from other sources, at rates that will approximate the expense of operation. The fund shall also be credited with receipts from sale or exchange of property and receipts in payment for loss or damage to property.

(M) FUNDS TRANSFER.—The Secretary may, when authorized in an appropriation Act for any fiscal year, transfer funds from one appropriation to another within the Department, except that no appropriations for any fiscal year shall be either increased or decreased pursuant to this subparagraph by more than 10 percent and no such transfer shall result in increasing any such appropriation above the amount authorized to be appropriated therefor.

(N) SEAL OF DEPARTMENT.—The Secretary shall cause a seal of office to be made for the Department of such design as the Secretary shall approve. Judicial notice shall be taken of such seal.

(O) ANNUAL REPORT.—

(i) IN GENERAL.—The Secretary shall, as soon as practicable after the close of each fiscal year, make a single, comprehensive report to the President for transmission to the Congress on the activities of the Department during such fiscal year.

(ii) CONTRACTING-OUT REPORT.—The report required by clause (i) shall also include an estimate of the extent of the non-Federal personnel employed pursuant to contracts entered into by the Department under subparagraph (E) or under any other authority (including any subcontract thereunder), the number of such contracts and subcontracts pursuant to which non-Federal personnel are employed, and the total cost of those contracts and subcontracts.

(f) TRANSITIONAL, SAVINGS, AND CONFORMING PROVISIONS.—

(1) TRANSFER AND ALLOCATION OF APPROPRIATIONS AND PERSONNEL.—

(A) TRANSFER TO SECRETARY.—Except as otherwise provided in this section, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balance of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available to, or to be made available in connection with, the functions and offices, or portions thereof, transferred by this section, subject to section 1531 of title 31, United States Code, shall be transferred to the Secretary for appropriate allocation. Unexpended funds transferred pursuant to this subparagraph shall be used only for the purposes for which the funds were originally authorized and appropriated.

(B) EFFECT OF TERMINATIONS.—Positions expressly specified by statute or reorganization plan to carry out functions or offices transferred by this section, personnel occupying those positions on the date of such transfer, and personnel authorized to receive compensation in such positions at the rate prescribed for offices and positions at level IV or V of the Executive Schedule under section 5315 or 5316 of title 5, United States Code, on the date of such transfer, shall be subject to paragraph (3) of this subsection.

(2) EFFECT ON PERSONNEL.—

(A) PRESERVATION OF GRADE AND COMPENSATION FOR 1 YEAR.—Except as otherwise provided in this section, the transfer pursuant to this section of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall not cause any such employee to be separated or reduced in grade or compensation for 1 year after the date of transfer to the Department.

(B) PRESERVATION OF COMPENSATION FOR EXECUTIVE SCHEDULE APPOINTEES.—Any person who, on the day preceding the date of the transfer of functions and offices under subsection (d), held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in the Department to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in the new position at not less than the rate provided for the previous position, for the duration of the service of such person in the new position.

(3) AGENCY TERMINATIONS.—

(A) TERMINATIONS.—On the date of the transfer of functions and offices under subsection (d), the following entities shall terminate:

(i) The Office of the Secretary of Commerce.

(ii) The Office of the Deputy Secretary of Commerce.

(iii) The Office of the General Counsel of the Department of Commerce.

(iv) The Office of the Secretary of Energy.

(v) The Office of Deputy Secretary of Energy.

(vi) The Office of the Under Secretary of Commerce for Technology.

(vii) The Office of the Assistant Secretary of Commerce for Technology Policy.

(viii) The Office of Science and Technology Policy in the Executive Office of the President.

(B) TERMINATION OF EXECUTIVE SCHEDULE POSITIONS.—Each position which was expressly authorized by law, or the incumbent of which was authorized to receive compensation at the rate prescribed for levels I through V of the Executive Schedule under

sections 5312 through 5315 of title 5, United States Code, in an office terminated pursuant to this section shall also terminate.

(4) ADDITIONAL TRANSFERS.—

(A) IN GENERAL.—The Director of the Office of Management and Budget, in conjunction with the Secretary, shall make such determinations as may be necessary with regard to the functions, offices, or portions thereof transferred by this section, and make such additional incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, offices, or portions thereof, as may be necessary to carry out this section. The Director shall provide for the termination of the affairs of all entities terminated by this section and, in conjunction with the Secretary, for such further measures and dispositions as may be necessary to effectuate the purposes of this section.

(B) ALLOCATION OF SES POSITIONS.—After consultation with the Director of the Office of Personnel Management, the Director of the Office of Management and Budget is authorized to make such determinations as may be necessary with regard to the transfer of positions within the Senior Executive Service in connection with functions and offices transferred by this section.

(C) MISCELLANEOUS FUNCTIONS.—(i) The Economics and Statistics Administration, including the Bureau of Census and the Bureau of Economic Analysis, and the Bureau of Export Administration shall be transferred to the Department of the Treasury.

(ii) The Economic Development Administration shall be transferred to the Department of Housing and Urban Development.

(iii) The International Trade Administration and the United States Travel and Tourism Administration shall be transferred to the Office of the United States Trade Representative.

(iv) The Minority Business Development Administration shall be transferred to the Small Business Administration.

(5) SAVINGS PROVISIONS.—

(A) CONTINUITY OF LEGAL FORCE AND EFFECT.—All orders, determinations, rules, regulations, permits, grants, contracts, certificates, licenses, and privileges—

(i) which have been issued, made, granted, or allowed to become effective by the President, by any Federal department or agency or official thereof, or by a court of competent jurisdiction, in the performance of functions which are transferred under this section to the Secretary or the Department; and

(ii) which are in effect at the time of such transfer,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked by the President, the Secretary, or the authorized official, a court of competent jurisdiction, or by operation of law.

(B) PENDING PROCEEDINGS.—(i) This section shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending on the date of the transfer of functions and offices under subsection (d) before any department, agency, commission, or component thereof, functions of which are transferred by this section. Such proceedings and applications, to the extent that they relate to functions so transferred, shall be continued, except as provided in clause (iii).

(ii) Orders may be issued in such proceedings, appeals may be taken therefrom, and payments may be made pursuant to such orders, as if this section had not been enacted. Orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by the Secretary, by a court of competent jurisdiction, or by operation of law.

(iii) Nothing in this subparagraph shall be considered to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this section had not been enacted.

(iv) The Secretary is authorized to promulgate regulations providing for the orderly transfer of proceedings continued under this subparagraph to the Department.

(C) NO EFFECT ON JUDICIAL PROCEEDINGS.—Except as provided in subparagraph (E)—

(i) the transfer of functions and offices under subsection (d) shall not affect suits commenced prior to the date of such transfer; and

(ii) in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and effect as if this section had not been enacted.

(D) NONABATEMENT OF PROCEEDINGS.—No suit, action, or other proceeding commenced by or against any officer in the official capacity of such individual as an officer of any department or agency, functions of which are transferred by this section, shall abate by reason of the enactment of this section. No cause of action by or against any department or agency, functions of which are transferred by this section, or by or against any officer thereof in the official capacity of such officer shall abate by reason of the enactment of this section.

(E) CONTINUATION OF PROCEEDING WITH SUBSTITUTION OF PARTIES.—If, before the date of the transfer of functions and offices under subsection (d), any department or agency, or officer thereof in the official capacity of such officer, is a party to a suit, and under this section any function of such department, agency, or officer is transferred to the Secretary or any other official of the Department, then such suit shall be continued with the Secretary or other appropriate official of the Department substituted or added as a party.

(F) REVIEWABILITY OF ORDERS AND ACTIONS UNDER TRANSFERRED FUNCTIONS.—Orders and actions of the Secretary in the exercise of functions transferred under this section shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the agency or office, or part thereof, exercising such functions immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by this section shall apply to the exercise of such function by the Secretary.

(6) REFERENCE.—With respect to any function transferred by this section and exercised on or after the date of such transfer, reference in any other Federal law to any department, commission, or agency or any officer or office the functions of which so transferred shall be deemed to refer to the Secretary, other official, or component of the Department to which this section transfers such functions.

(7) AMENDMENTS.—

(A) DEPARTMENT OF ENERGY ORGANIZATION ACT.—Sections 201 through 203 of the Department of Energy Organization Act (42 U.S.C. 7131–7133) are repealed.

(B) INSPECTOR GENERAL ACT OF 1978.—THE INSPECTOR GENERAL ACT OF 1978 IS AMENDED—

(i) in section 8E(a)(2), by striking ''the National Science Foundation,'';

(ii) in section 8E(a)(4), by striking '', except that with respect to the National Science Foundation, such term means the National Science Board'';

(iii) in section 11(1)—

(I) by striking ''Commerce,'';

(II) by striking ''Energy,'';

(III) by inserting ''Science, Space, Energy, and Technology,'' after ''the Interior, Labor,''; and

(IV) by striking ''National Aeronautics and Space,''; and

(iv) in section 11(2)—

(I) by striking ''Commerce,'';

(II) by striking ''Energy,'';

(III) by inserting ''Science, Space, Energy, and Technology,'' after ''Justice, Labor,''; and

(IV) by striking ''the National Aeronautics and Space Administration,''.

(C) NATIONAL AERONAUTICS AND SPACE ACT OF 1958.—Section 207 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2476a) is repealed.

(8) TRANSITION.—

(A) USE OF FUNDS.—Funds available to any department or agency (or any official or component thereof), the functions or offices of which are transferred to the Secretary or the Department by this section, may, with the approval of the Director of the Office of Management and Budget, be used to pay the compensation and expenses of any officer appointed pursuant to this section and other transitional and planning expenses associated with the establishment of the Department or transfer of functions or offices thereto until such time as funds for such purposes are otherwise available.

(B) USE OF PERSONNEL.—With the consent of the appropriate department or agency head concerned, the Secretary is authorized to utilize the services of such officers, employees, and other personnel of the departments and agencies from which functions or offices have been transferred to the Secretary or the Department, for such period of time as may reasonably be needed to facilitate the orderly implementation of this section.

(9) INTERIM APPOINTMENTS.—

(A) AUTHORITY TO APPOINT.—Notwithstanding any other provision of law, in the event that one or more officers required by this section to be appointed by and with the advice and consent of the Senate shall not have entered upon office on the date of the transfer of functions and offices under subsection (d), the President may designate an officer in the executive branch to act in such office for 120 days or until the office is filled as provided in this section, whichever occurs first.

(B) COMPENSATION.—Any officer acting in an office in the Department pursuant to the provisions of subparagraph (A) shall receive compensation at the rate prescribed for such office under this section.

(g) RELATION TO OTHER PROVISIONS.—

(1) MODIFICATIONS IN AUTHORITY.—If any other section of this Act increases, restricts, or otherwise modifies any authority (including the authority to assess or collect fees) with respect to any function or office, or portion thereof, transferred by this section, the authority transferred by this section shall be the authority as so modified.

(2) RESCISSIONS.—If any other section of this Act rescinds funds that are to be transferred pursuant to this section, such rescission shall be made prior to such transfer.

SEC. 203. ELIMINATION OF FUNDING FOR MAGLEV PROTOTYPE DEVELOPMENT PROGRAM.

(a) IN GENERAL.—Section 1036(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (49 U.S.C. 309 note; 105 Stat. 1986) is amended—

(1) in paragraph (1) by striking ''the following'' and all that follows through ''DEMONSTRATION PROGRAM.—For'' and inserting ''for''; and

(2) in paragraph (2) by striking subparagraph (A) and by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

(b) RESCISSION OF FUNDS.—Of the funds made available under the heading ''Federal Railroad Administration—Railroad Research and Development'' in the Department of Transportation and Related Agencies Appropriations Act, 1994 (Pub. L. 103–122), $20,000,000 is rescinded, to be derived from magnetic levitation research and analysis activities.

SEC. 204. RESCISSION OF FUNDS FOR FEDERALLY SPONSORED UNIVERSITY RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Of the aggregate funds made available for the accounts specified in subsection (b), $220,000,000 is rescinded, to be derived from university research and development programs. The Director of the Office of Management and Budget shall allocate such rescission among such accounts, and shall submit to the Congress a report setting forth such allocation.

(b) AFFECTED ACCOUNTS.—The funds subject to the rescission made by subsection (a) are the following:

(1) NATIONAL INSTITUTES OF HEALTH.—The amounts made available under the heading ''Department of Health and Human Services—National Institutes of Health'' in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–112), for the following accounts:

(A) ''National Cancer Institute''.

(B) ''National Heart, Lung, and Blood Institute''.

(C) ''National Institute of Dental Research''.

(D) ''National Institute of Diabetes and Digestive and Kidney Diseases''.

(E) ''National Institute of Neurological Disorders and Stroke''.

(F) ''National Institute of Allergy and Infectious Diseases''.

(G) ''National Institute of General Medical Sciences''.

(H) ''National Institute of Child Health and Human Development''.

(I) ''National Eye Institute''.

(J) ''National Institute of Environmental Health Sciences''.

(K) ''National Institute on Aging''.

(L) ''National Institute of Arthritis and Musculoskeletal and Skin Diseases''.

(M) ''National Institute on Deafness and Other Communication Disorders''.

(N) ''National Institute of Nursing Research''.

(O) ''National Institute on Alcohol Abuse and Alcoholism''.

(P) ''National Institute on Drug Abuse''.

(Q) ''National Institute of Mental Health''.

(R) ''National Center for Research Resources''.

(S) ''National Center for Human Genome Research''.

(T) ''John E. Fogarty International Center''.

(U) ''National Library of Medicine''.

(V) ''Office of the Director''.

(2) INDEPENDENT AGENCIES.—The amounts made available in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1994 (Pub. L. 103–124), for the following accounts:

(A) ''National Science Foundation—Research and Related Activities''.

(B) ''National Aeronautics and Space Administration—Research and Development''.

(3) DEPARTMENT OF DEFENSE.—The amounts made available in the Department of Defense Appropriations Act, 1994 (Pub. L. 103–139), for the following accounts:

(A) ''Research, Development, Test and Evaluation, Army''.

(B) ''Research, Development, Test and Evaluation, Navy''.

(C) ''Research, Development, Test and Evaluation, Air Force''.

(D) ''Research, Development, Test and Evaluation, Defense-Wide''.

SEC. 205. RECOUPMENT OF CERTAIN GRANTS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall establish procedures and criteria for the recoupment of the Federal share of all cost shared research, development, demonstration, and commercial application projects undertaken by such Departments. If required, such recoupment shall occur within a reasonable period of time following the date of completion of a project, but not later than 20 years following such date, taking into account the effect of recoupment on—

(1) the commercial competitiveness of the entity carrying out the project;

(2) the profitability of the project; and

(3) the commercial viability of the technology utilized.

The Secretary of Energy and the Secretary of Commerce may require recoupment under this section as appropriate.

SEC. 206. COVERAGE OF FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS BY COMPETITION IN CONTRACTING ACT.

(a) CONTRACTS WITH EXECUTIVE AGENCIES.—Section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253) is amended in subsection (b)(1)(C) and in subsection (c)(3) by striking out ''or a federally funded research and development center'' each place it appears.

(b) CONTRACTS WITH DEPARTMENT OF DEFENSE.—Section 2304 of title 10, United States Code, is amended in subsection (b)(1)(C) and in subsection (c)(3) by striking out ''or a federally funded research and development center'' each place it appears.

SEC. 207. TERMINATION OF MODULAR HIGH-TEMPERATURE GAS-COOLED REACTOR PROJECT.

(a) IN GENERAL.—The United States shall not obligate any funds for the Modular High-Temperature Gas-Cooled Reactor program.

(b) AMENDMENTS.—Section 2122(b) of the Energy Policy Act of 1992 (42 U.S.C. 13492(b)) is amended—

(1) in paragraph (1)(B), by striking ''the modular high-temperature gas-cooled reactor technology and''; and

(2) in paragraph (2)(C)—

(A) by striking ''high-temperature gas-cooled reactor technology and''; and

(B) by striking ''one or both of those technologies'' and inserting in lieu thereof ''that technology''.

(c) RESCISSION OF FUNDS.—Of the funds made available under the heading ''Department of Energy—Energy Supply, Research and Development Activities'' in the Energy and Water Development Appropriations Act, 1994 (Pub. L. 103–126), $12,000,000 is rescinded, to be derived from the gas turbine-modular helium reactor program.

SEC. 208. DEPARTMENT OF ENERGY FACILITIES CLOSURE AND RECONFIGURATION COMMISSION.

(a) DEPARTMENT OF ENERGY FACILITIES CLOSURE AND RECONFIGURATION COMMISSION.—

(1) ESTABLISHMENT.—There is established an independent commission to be known as the ''Department of Energy Facilities Closure and Reconfiguration Commission''.

(2) DUTIES.—The Commission shall carry out the duties specified for the Commission in this section.

(3) APPOINTMENT.—

(A) IN GENERAL.—The Commission shall be composed of 7 members appointed by the President, by and with the advise and consent of the Senate. The President shall transmit to the Senate the nominations for appointment to the Commission not later than 3 months after the date of the enactment of this Act.

(B) CONSULTATION.—In selecting individuals for nominations for appointments to the Commission, the President should consult with—

(i) the Speaker of the House of Representatives concerning the appointment of 1 member;

(ii) the majority leader of the Senate concerning the appointment of 1 member;

(iii) the minority leader of the House of Representatives concerning the appointment of 1 member; and

(iv) the minority leader of the Senate concerning the appointment of 1 member.

(C) CHAIRPERSON.—At the time the President nominates individuals for appointment to the Commission, the President shall designate one such individual who shall serve as Chairperson of the Commission.

(4) TERMS.—Each member of the Commission shall serve until the termination of the Commission under paragraph (12).

(5) MEETINGS.—Each meeting of the Commission, other than meetings in which classified information is to be discussed, shall be open to the public.

(6) VACANCIES.—A vacancy in the Commission shall be filled in the same manner as the original appointment, but the individual appointed to fill the vacancy shall serve only for the unexpired portion of the term for which the individual's predecessor was appointed.

(7) PAY AND TRAVEL EXPENSES.—

(A) IN GENERAL.—

(i) BASIC PAY.—Each member, other than the Chairperson, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(ii) PAY OF CHAIRPERSON.—The Chairperson shall be paid for each day referred to in clause (i) at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(B) TRAVEL EXPENSES.—Members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(8) DIRECTOR.—

(A) IN GENERAL.—The Commission shall, without regard to section 5311(b) of title 5, United States Code, appoint a Director who has not served as a civilian employee of the Department of Energy during the one-year period preceding the date of such appointment.

(B) PAY.—The Director shall be paid at the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(9) STAFF.—

(A) APPOINTMENT BY DIRECTOR.—Subject to subparagraphs (B) and (C), the Director, with the approval of the Commission, may appoint and fix the pay of additional personnel.

(B) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Director may make such appointments without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and any personnel so appointed may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess

of the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(C) LIMITATION.—Not more than one-third of the personnel employed by or detailed to the Commission may be on detail from the Department of Energy.

(D) SUPPORT FROM OTHER AGENCIES.—Upon request of the Director, the head of a Federal agency may detail any of the personnel of that agency to the Commission to assist the Commission in carrying out its duties under this section.

(E) SUPPORT FROM COMPTROLLER GENERAL.—The Comptroller General of the United States shall provide assistance, including the detailing of employees, to the Commission in accordance with an agreement entered into with the Commission.

(10) OTHER AUTHORITY.—

(A) TEMPORARY AND INTERMITTENT SERVICES.—The Commission may procure by contract, to the extent funds are available, the temporary or intermittent services of experts or consultants pursuant to section 3109 of title 5, United States Code.

(B) AUTHORITY TO LEASE SPACE AND ACQUIRE CERTAIN PROPERTY.—The Commission may lease space and acquire personal property to the extent funds are available. To the extent practicable, the Commission shall use suitable real property available under the most recent inventory of real property assets published by the Resolution Trust Corporation under section 21A(b)(11)(F) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)(12)(F)).

(11) FUNDING.—There is appropriated for fiscal year 1994, out of any money in the Treasury not otherwise appropriated, $1,000,000 to the Commission to carry out its duties under this section. Such funds shall remain available until expended.

(12) TERMINATION.—The Commission shall terminate not later than 20 months after the date of the enactment of this Act.

(b) PROCEDURE FOR MAKING RECOMMENDATIONS FOR CLOSURE AND RECONFIGURATION OF FACILITIES.—

(1) SELECTION CRITERIA.—

(A) IN GENERAL.—Not later than 3 months after the date of the enactment of this Act, the Secretary of Energy shall publish in the Federal Register and transmit to the congressional energy committees the criteria proposed to be used by the Secretary in making recommendations for the closure or reconfiguration of Department of Energy facilities resulting in an overall budget for such facilities for a fiscal year in an amount equal to the amount appropriated for such facilities for the previous fiscal year reduced by 25 percent. The Secretary shall provide an opportunity for public comment on the proposed criteria for a period of at least 30 days and shall include notice of that opportunity in the publication required under this paragraph. In developing the criteria, the Secretary shall consider—

(i) the program costs and program distributions on a State and county basis, including real and personal property costs associated with each Department of Energy facility considered;

(ii) the number of participants in programs conducted through a Department of Energy facility and staff resources involved;

(iii) duplication of effort by Department of Energy facilities and overhead costs as a proportion of program benefits distributed through a Department of Energy facility; and

(iv) cost savings and increases that would accrue through the reconfiguration of Department of Energy facilities.

(B) FINAL CRITERIA.—Not later than 5 months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register and transmit to the congressional energy committees the final criteria to be used in making recommendations for the closure or reconfiguration of Department of Energy facilities under this section.

(2) SECRETARY'S RECOMMENDATIONS.—

(A) PUBLICATION IN FEDERAL REGISTER.—Not later than 9 months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register and transmit to the congressional energy committees and to the Commission a list of the Department of Energy facilities that the Secretary recommends for closure or reconfiguration on the basis of the final criteria referred to in paragraph (1).

(B) SUMMARY OF SELECTION PROCESS.—The Secretary shall include, with the list of recommendations published and transmitted pursuant to subparagraph (A), a summary of the selection process that resulted in the recommendation for each Department of Energy facility, including a justification for each recommendation.

(C) EQUAL CONSIDERATION OF FACILITIES.—In considering Department of Energy facilities for closure or reconfiguration, the Secretary shall consider all such facilities equally without regard to whether a facility has been previously considered or proposed for closure or reconfiguration by the Secretary.

(D) AVAILABILITY OF INFORMATION.—The Secretary shall make available to the Commission and the Comptroller General of the United States all information used by the Secretary in making recommendations to the Commission for closures and reconfiguration.

(3) REVIEW AND RECOMMENDATIONS BY THE COMMISSION.—

(A) PUBLIC HEARINGS.—After receiving the recommendations from the Secretary pursuant to paragraph (2), the Commission shall conduct public hearings on the recommendations.

(B) REPORT.—Not later than 15 months after the date of the enactment of this Act, the Commission shall transmit to the President and the congressional energy committees a report containing the Commission's findings and conclusions based on a review and analysis of the recommendations made by the Secretary, together with the Commission's recommendations for closures and reconfigurations of Department of Energy facilities.

(C) DEVIATION FROM SECRETARY'S RECOMMENDATIONS.—In making its recommendations, the Commission may make changes in any of the recommendations made by the Secretary if the Commission determines that the Secretary deviated substantially from the final criteria referred to in paragraph (1) in making recommendations. The Commission shall explain and justify in the report any recommendation made by the Commission that is different from the recommendations made by the Secretary.

(D) PROVISION OF CERTAIN INFORMATION.—After transmitting the report, the Commission shall promptly provide, upon request, to any Member of Congress information used by the Commission in making its recommendations.

(4) ASSISTANCE FROM COMPTROLLER GENERAL.—The Comptroller General of the United States shall—

(A) assist the Commission, to the extent requested, in the Commission's review and analysis of the recommendations made by the Secretary pursuant to paragraph (2); and

(B) not later than 12 months after the date of the enactment of this Act, transmit to the congressional energy committees and to the Commission a report containing a detailed analysis of the Secretary's recommendations and selection process.

(5) REVIEW BY THE PRESIDENT.—

(A) IN GENERAL.—Not later than 16 months after the date of the enactment of this Act, the President shall transmit to the Commission and to the congressional energy committees a report containing the President's approval or disapproval of the Commission's recommendations.

(B) PRESIDENTIAL APPROVAL.—If the President approves all of the recommendations of the Commission, the President shall transmit a copy of such recommendations to the congressional energy committees together with a certification of such approval.

(C) PRESIDENTIAL DISAPPROVAL.—If the President disapproves the recommendations of the Commission, in whole or in part, the President shall transmit to the Commission and the congressional energy committees the reasons for that disapproval. The Commission shall then transmit to the President, not later than 17 months after the date of the enactment of this Act, a revised list of recommendations for the closure and reconfiguration of Department of Energy facilities resulting in an overall budget for such facilities for a fiscal year in an amount equal to the amount appropriated for such facilities for the previous fiscal year reduced by 25 percent.

(D) CERTIFICATION.—If the President approves all of the revised recommendations of the Commission transmitted to the President under subparagraph (C), the President shall transmit a copy of such revised recommendations to the congressional energy committees, together with a certification of such approval.

(E) FAILURE TO CERTIFY.—If the President does not transmit to the congressional energy committees an approval and certification described in subparagraph (B) or (D) by 18 months after the date of the enactment of this Act, the process by which Department of Energy facilities may be selected for closure or reconfiguration under this section shall be terminated.

(c) CLOSURE AND RECONFIGURATION OF DEPARTMENT OF ENERGY FACILITIES.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall—

(A) close all Department of Energy facilities recommended for closure by the Commission in the report transmitted to the congressional energy committees by the President pursuant to subsection (b)(5);

(B) reconfigure all such facilities recommended for reconfiguration by the Commission in the report; and

(C) complete the closures and reconfigurations not later than the end of the 6-year period beginning on the date on which the President transmits the report pursuant to subsection (b)(5).

(2) CONGRESSIONAL DISAPPROVAL.—

(A) IN GENERAL.—The Secretary may not carry out any closure or reconfiguration of a facility recommended by the Commission in the report transmitted from the President pursuant to subsection (b)(5) if a joint resolution is enacted, in accordance with the provisions of subsection (g), disapproving the recommendations of the Commission before the earlier of—

(i) the end of the 45-day period beginning on the date on which the President transmits the report; or

(ii) the adjournment of Congress sine die for the session during which the report is transmitted.

(B) For purposes of subparagraph (A) of this paragraph and paragraphs (1) and (3) of subsection (g), the days on which either House of Congress is not in session because of an adjournment of more than three days to a day certain shall be excluded in the computation of a period.

(d) IMPLEMENTATION OF CLOSURE AND RECONFIGURATION ACTIONS.—

(1) ACTIONS OF THE SECRETARY.—In closing or reconfiguring a Department of Energy facility under this section, the Secretary shall—

(A) take such actions as may be necessary to close or reconfigure the facility;

(B) provide outplacement assistance to any employees employed by the Department of Energy at the office whose employment is being terminated, and may use for such purpose funds in the Account or funds appropriated to the Department of Energy for outplacement assistance to employees;

(C) take such steps as may be necessary to ensure the safe keeping of all records stored at the facility; and

(D) reimburse other Federal agencies for actions performed at the request of the Secretary with respect to any such closure or reconfiguration, and may use for such purpose funds in the Account or funds appropriated to the Department of Energy and available for such purpose.

(2) MANAGEMENT AND DISPOSAL OF PROPERTY.—

(A) IN GENERAL.—The Administrator of General Services shall delegate to the Secretary of Energy, with respect to excess and surplus real property and facilities located at a Department of Energy facility closed or reconfigured under this section—

(i) the authority of the Administrator to utilize excess property under section 202 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483);

(ii) the authority of the Administrator to dispose of surplus property under section 203 of that Act (40 U.S.C. 484);

(iii) the authority of the Administrator to grant approvals and make determinations under section 13(g) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(g)); and

(iv) the authority of the Administrator to determine the availability of excess or surplus real property for wildlife conservation purposes in accordance with the Act of May 19, 1948 (16 U.S.C. 667b).

(B) EXERCISE OF AUTHORITY.—

(i) IN GENERAL.—Subject to clause (iii), the Secretary shall exercise the authority delegated to the Secretary pursuant to subparagraph (A) in accordance with—

(I) all regulations in effect on the date of the enactment of this Act governing the utilization of excess property and the disposal of surplus property under the Federal Property and Administrative Services Act of 1949; and

(II) all regulations in effect on the date of the enactment of this Act governing the conveyance and disposal of property under section 13(g) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(g)).

(ii) REGULATIONS.—The Secretary, after consulting with the Administrator of General Services, may issue regulations that are necessary to carry out the delegation of authority required by subparagraph (A).

(iii) LIMITATION.—The authority required to be delegated by subparagraph (A) to the Secretary by the Administrator of General Services shall not include the authority to prescribe general policies and methods for utilizing excess property and disposing of surplus property.

(3) WAIVER.—The Secretary may close or reconfigure Department of Energy facilities under this section without regard to any provision of law restricting the use of funds for closing or reconfiguring such facilities included in any appropriations or authorization Act.

(e) ACCOUNT.—

(1) ESTABLISHMENT.—There is hereby established on the books of the Treasury an account to be known as the ''Department of Energy Facility Closure Account'' which shall be administered by the Secretary as a single account.

(2) CONTENT OF ACCOUNT.—There shall be deposited into the Account—

(A) funds authorized for and appropriated to the Account;

(B) any funds that the Secretary may, subject to approval in an appropriation Act, transfer to the Account from funds appropriated to the Department of Energy for any purpose, except that such funds may be transferred only after the date on which the Secretary transmits written notice of, and justification for, such transfer to the congressional energy committees; and

(C) proceeds received from the transfer or disposal of any property at an office closed or reconfigured under this section.

(3) USE OF FUNDS.—The Secretary may use the funds in the Account only for the purposes described in subsection (d)(1).

(4) REPORTS.—

(A) IN GENERAL.—Not later than 60 days after the end of each fiscal year in which the Secretary carries out activities under this section, the Secretary shall transmit a report to the congressional energy committees of the amount and nature of the deposits into, and the expenditures from, the Account during such fiscal year and of the amount and nature of other expenditures made pursuant to subsection (d)(1) during such fiscal year.

(B) UNOBLIGATED FUNDS.—Unobligated funds which remain in the Account after the termination of the Commission shall be held in the Account until transferred by law after the congressional energy committees receive the report transmitted under subparagraph (C).

(C) ACCOUNTING REPORT.—Not later than 60 days after the termination of the Commission, the Secretary shall transmit to the congressional energy committees a report containing an accounting of—

(i) all the funds deposited into and expended from the Account or otherwise expended under this section; and

(ii) any amount remaining in the Account.

(f) REPORTS ON IMPLEMENTATION.—As part of the budget request for each fiscal year in which the Secretary will carry out activities under this section, the Secretary shall transmit to the congressional energy committees—

(1) a schedule of the closure and reconfiguration actions to be carried out under this section in the fiscal year for which the request is made and an estimate of the total expenditures required and cost savings to be achieved by each such closure and reconfiguration and of the time period in which these savings are to be achieved in each case; and

(2) a description of the Department of Energy facilities, including those under construction and those planned for construction, to which functions are to be transferred as a result of such closures and reconfigurations.

(g) CONGRESSIONAL CONSIDERATION OF COMMISSION REPORT.—

(1) TERMS OF THE RESOLUTION.—For purposes of subsection (c)(2), the term ''joint resolution'' means only a joint resolution which is introduced within the 10-day period beginning on the date on which the President transmits the report to the Congress under subsection (b)(5), and—

(A) which does not have a preamble;

(B) the matter after the resolving clause of which is as follows: ''That Congress disapproves the recommendations of the Department of Energy Facilities Closure and Reconfiguration Commission as submitted by the President on _____'', the blank space being filled in with the appropriate date; and

(C) the title of which is as follows: ''Joint resolution disapproving the recommendations of the Department of Energy Facilities Closure and Reconfiguration Commission.''.

(2) REFERRAL.—A resolution described in paragraph (1) that is introduced in the House of Representatives shall be referred to the Committee on Armed Services and the Committee on Science, Space, and Technology of the House of Representatives. A resolution described in paragraph (1) introduced in the Senate shall be referred to the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate.

(3) DISCHARGE.—If the committee to which a resolution described in paragraph (1) is referred has not reported such resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the President transmits the report to the Congress under subsection (b)(5), such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(4) CONSIDERATION.—

(A) IN GENERAL.—On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under paragraph (3)) from further consideration of, such a resolution, it is 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 resolution (but only on the day after the calendar day on which such Member announces to the House concerned the Member's intention to do so). All points of order against the resolution (and against consideration of the resolution) 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 resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

(B) DEBATE.—Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. 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 resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(C) QUORUM CALL.—Immediately following the conclusion of the debate on a resolution 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 resolution shall occur.

(D) APPEALS FROM DECISION OF CHAIR.—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 resolution described in paragraph (1) shall be decided without debate.

(5) CONSIDERATION BY OTHER HOUSE.—

(A) If, before the passage by one House of a resolution of that House described in paragraph (1), that House receives from the other House a resolution described in paragraph (1), then the following procedures shall apply:

(i) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in clause (ii)(II).

(ii) With respect to a resolution described in paragraph (1) of the House receiving the resolution—

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

(II) the vote on final passage shall be on the resolution of the other House.

(B) CONSIDERATION AFTER DISPOSITION BY OTHER HOUSE.—Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(6) RULES OF THE SENATE AND HOUSE.—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 resolution 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.

(h) DEFINITIONS.—For purposes of this section:

(1) The term ''Account'' means the Department of Energy Facility Closure Account established in subsection (e)(1).

(2) The term ''Commission'' means the Department of Energy Facilities Closure and Reconfiguration Commission.

(4) The term ''congressional energy committees'' means the Committees on Armed Services of the Senate and House of Representatives, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate.

(5) The term ''Secretary'' means the Secretary of Energy.

SEC. 209. RESCISSION OF FUNDS FOR FUSION ENERGY RESEARCH AND DEVELOPMENT.

Of the funds made available under the heading ''Department of Energy—Energy Supply, Research and Development Activities'' in the Energy and Water Development Appropriations Act, 1994 (Pub. L. 103–126), $70,000,000 is rescinded, to be derived from the fusion energy program.

SEC. 210. RESCISSION OF FUNDS FOR FOSSIL ENERGY RESEARCH AND DEVELOPMENT.

Of the funds made available under the heading ''Department of Energy—Fossil Energy Research and Development'' in the Department of the Interior and Related Agencies Appropriations Act, 1994 (Pub. L. 103–138), $54,007,000 is rescinded.

SEC. 211. ALASKA POWER ADMINISTRATION SALE.

(a) SALE OF SNETTISHAM AND EKLUTNA HYDROELECTRIC PROJECTS..—(1) The Secretary of Energy may sell the Snettisham Hydroelectric Project (referred to in this section as ''Snettisham'') to the State of Alaska Power Authority (now known as the Alaska Industrial Development and Export Authority, and referred to in this section as the ''Authority''), or its successor, in accordance with the February 10, 1989, Snettisham Purchase Agreement between the Alaska Power Administration of the United States Department of Energy and the Authority.

(2) The Secretary of Energy may sell the Eklutna Hydroelectric Project (referred to in this section as ''Eklutna'') to the Municipality of Anchorage doing business as Municipal Light and Power, the Chugach Electric Association, Inc., and the Matanuska Electric Association, Inc. (referred to in this section as ''Eklutna Purchasers'') in accordance with the August 2, 1989, Eklutna Purchase Agreement between the United States Department of Energy and the Eklutna Purchasers.

(3) The heads of other affected Federal departments and agencies, including the Secretary of the Interior, shall assist the Secretary of Energy in implementing the sales authorized by this Act.

(4) The Secretary of Energy shall deposit sale proceeds in the Treasury of the United States to the credit of miscellaneous receipts.

(5) There are authorized to be appropriated such sums as are necessary to prepare or acquire Eklutna and Snettisham assets for sale and conveyance, such preparations to provide sufficient title to ensure the beneficial use, enjoyment, and occupancy to the purchasers of the assets to be sold.

(6) No later than one year after both of the sales authorized in this subsection have occurred, as measured by the Transaction Dates stipulated in the Purchase Agreements, the Secretary of Energy shall—

(A) complete the business of, and close out, the Alaska Power Administration; and

(B) prepare and submit to Congress a report documenting the sales.

(b) ASSESSMENT OF ALTERNATIVE OPTIONS.—Before taking any action authorized in subsection (a), the Secretary shall assess the feasibility of alternative options for maximizing the return to the Treasury from the sale of the Alaska Power Marketing Administration.

SEC. 212. FEDERAL-PRIVATE COGENERATION OF ELECTRICITY.

Section 804(2)(B) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(2)(B)) is amended by striking '', excluding any cogeneration process for other than a federally owned building or buildings or other federally owned facilities''.

SEC. 213. TERMINATION OF CLEAN COAL TECHNOLOGY PROGRAM.

(a) IN GENERAL.—The United States shall not obligate any funds for the Clean Coal Technology program.

(b) REPEAL.—

(1) IN GENERAL.—Except as provided in paragraph (2), the matter under the heading ''DEPARTMENT OF ENERGY, CLEAN COAL TECHNOLOGY'' in the Act entitled ''An Act making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 1986, and for other purposes'' enacted by section 101(d) of the Joint Resolution entitled ''Joint Resolution making further continuing appropriations for the fiscal year 1986, and for other purposes'' (Public Law 99–190; 99 Stat. 1251) is repealed.

(2) EXCEPTION.—The authority provided in the matter repealed by paragraph (1) of this subsection shall be preserved to the extent necessary to carry out obligations of the United States with respect to clean coal technology projects selected by the Secretary of Energy pursuant to the fifth general request for proposals issued by the Secretary under such section 101(d) (and pursuant to any such general request issued before the fifth general request).

SEC. 214. RESCISSION OF FUNDS FROM SPR PETROLEUM ACCOUNT.

The unobligated balance of the funds in the SPR petroleum account on the date of the enactment of this Act is rescinded.

SEC. 215. STUDY OF TERMINATION OF HELIUM SUBSIDY.

(a) FINDINGS.—The Congress finds that—

(1) the United States Government's helium recovery program was instituted in 1925, when helium conservation was deemed to be a matter of national security and no private sector helium recovery industry existed;

(2) today, as compared to 1925, there is little likelihood that the United States will have to field a fleet of blimps on an emergency basis;

(3) private sources of helium are more than adequate for serving existing and foreseeable future national needs;

(4) since 1925, there has been a dramatic increase in private industry's involvement in helium recovery, as a result of the free market discovery of numerous commercial uses for helium;

(5) currently, private industry accounts for 90 percent of all helium extraction and consumption;

(6) the Government's helium recovery program currently owes the Department of the Treasury $1,400,000,000 and loses an additional $120,000,000 yearly on interest alone, and there is no prospect for repayment of this debt without significant reform; and

(7) with combined public and private helium reserves considerably in excess of foreseeable national helium needs, there is no longer any need for the Federal Government to own and operate a helium refining and marketing program.

(b) STUDY.—(1) The Secretary of the Interior, in consultation with private industry, shall conduct a study to determine how best to—

(A) sell or otherwise dispose of, at the best possible terms available to the United States, all facilities, equipment, and other real or personal property, or rights thereto, held by the United States in connection with activities carried out under the Helium Act, unless such facilities, equipment, or other real or personal property, or rights thereto, are required for other Federal purposes;

(B) sell or otherwise dispose of, at the best possible terms available to the United States, the helium reserves held by the United States other than amounts required for the specific immediate needs of the Federal Government, in a manner consistent with the orderly conduct of commercial helium markets; and

(C) ensure the full repayment of loans made under section 12 of the Helium Act.

(2) The Secretary of the Interior shall transmit to the Congress within one year after the date of enactment of this Act a report containing the results of the study conducted under paragraph (1).

SEC. 216. RESCISSION OF FUNDS FOR LOW-PRIORITY WATER PROJECTS.

(a) CORPS OF ENGINEERS GENERAL INVESTIGATIONS.—Of the funds made available under the heading ''Corps of Engineers-Civil—General Investigations'' in the Energy and Water Development Appropriations Act, 1994 (Pub. L. 103–126), $24,970,000 is rescinded, to be derived from projects that—

(1) are not continuations of ongoing work under contract;

(2) are not economically justified, or environmentally beneficial in a manner commensurate with costs;

(3) are not environmentally acceptable;

(4) are not in compliance with standard cost sharing;

(5) do not have available the necessary non-Federal sponsorship and funding;

(6) represent a Federal assumption of traditionally non-Federal responsibility; or

(7) have not completed normal executive branch project review requirements.

(b) CORPS OF ENGINEERS CONSTRUCTION.—Of the funds made available under the heading ''Corps of Engineers-Civil—Construction, General'' in the Energy and Water Development Appropriations Act, 1994 (Pub. L. 103–126), $97,319,000 is rescinded, to be derived from projects that—

(1) are not continuations of ongoing work under contract;

(2) are not economically justified, or environmentally beneficial in a manner commensurate with costs;

(3) are not environmentally acceptable;

(4) are not in compliance with standard cost sharing;

(5) do not have available the necessary non-Federal sponsorship and funding;

(6) represent a Federal assumption of traditionally non-Federal responsibility; or

(7) have not completed normal executive branch project review requirements.

(c) BUREAU OF RECLAMATION.—Of the funds made available under the heading ''Department of the Interior—Bureau of Reclamation—Construction Program'' in the Energy and Water Development Appropriations Act, 1994 (Pub. L. 103–126), $16,000,000 is rescinded, to be derived from projects that—

(1) are not continuations of ongoing work under contract;

(2) in the case of new projects, are inconsistent with the priorities of the Secretary of the Interior;

(3) are not environmentally beneficial in a manner commensurate with costs; or

(4) do not have available the necessary non-Federal cost sharing.

SEC. 217. PREFERENCE FOR INTERIM MEASURES IN SUPERFUND RESPONSE ACTIONS.

(a) AMENDMENT OF CERCLA.—Section 121(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621(a)) is amended by adding at the end the following: ''Notwithstanding any other provision of this Act, in selecting appropriate remedial actions in any record of decision issued on or after October 1, 1994, the President shall give a preference to the use of institutional controls (such as deed and access restrictions, monitoring, and provision of alternate water supplies), containment methods (including caps, slurry walls, and surface water diversion), and other interim measures, rather than permanent treatment technologies, if such measures are sufficient to assure the protection of human health and the environment.''.

(b) CLEANUP STANDARDS.—Section 121(d)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621(d)(2)) shall not apply to any remedial action described in the amendment made by subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—(1) Section 517(b) of the Superfund Amendments and Reauthorization Act of 1986 is amended by striking ''and'' at the end of paragraph (8), by striking paragraph (9) and by inserting the following after paragraph (8):

''(9) 1995, $1,065,536,000,

''(10) 1996, $1,100,198,000,

''(11) 1997, $1,254,824,000, and

''(12) 1998, $1,321,018,000,''.

(2) Section 9507(c) of the Internal Revenue Code of 1986 is amended by adding the following new paragraph at the end thereof:

''(3) LIMITATION ON APPROPRIATIONS FROM FUND.—For fiscal years 1995, 1996, 1997, and 1998, the total of all amounts authorized to be appropriated from the Superfund shall not exceed the amounts specified in paragraphs (9) through (12) of the Superfund Amendments and Reauthorization Act of 1986.''.

(d) REPORT REQUIREMENT.—(1) The President shall submit to Congress a report, during each of the 5 years listed in paragraph (2), on the use of measures under the last sentence of section 121(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621), as required by the amendment made by subsection (a). The report shall cover the preceding fiscal year and shall include the estimated savings resulting from the use of such measures in comparison to using permanent treatment technologies.

(2) The President shall submit the report required by paragraph (1) by December 1 of 1995, 1996, 1997, 1998, and 1999.

SEC. 218. RESERVATION OF FUNDS FOR DISASTER RELIEF.

(a) ESTABLISHMENT OF DISASTER RELIEF ACCOUNT.—On the date of the enactment of this Act the Secretary of the Treasury shall establish a Disaster Relief Account within the Office of the Secretary of the Treasury.

(b) RESERVATION OF FUNDS.—For each domestic discretionary spending account, the head of each Federal agency shall transfer 1 percent of all funds appropriated for each fiscal year beginning after September 30, 1993, to the account established under subsection (a) upon enactment of the appropriations Act for the agency for the fiscal year.

(c) TRANSFER OF FUNDS.—Upon enactment of an emergency disaster supplemental appropriations Act, the Secretary of the Treasury shall transfer such sums as are specified in such Act with respect to a disater declared by the President from the Disaster Relief Account to the accounts specified by such Act.

(d) USE OF DISASTER RELIEF ACCOUNT PRIOR TO PROVISION OF EMERGENCY FUNDS IN EXCESS OF CAPS.—All funds in the Disaster Relief Account established under subsection (a) shall be exhausted before any funds shall be made available pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) RELEASE OF FUNDS.—Any funds reserved under subsection (b) for a fiscal year which have not been transferred under subsection (c) by August 1 of such fiscal year shall after that date be returned to the account from which they were reserved in an amount proportionate to the amount originally reserved under subsection (b) if no emergency disaster supplemental appropriations bill has been reported from a committee of, or passed by, the House of Representatives or the Senate. If such a bill has been so reported or passed by August 1, such funds as may be required by such bill shall be retained in the Disaster Relief Account established under subsection (a) until transferred under subsection (c). Any funds in excess of those required for such bill shall be returned to the accounts from which they were reserved in an amount proportionate to the amount originally reserved under subsection (b) upon enactment of such bill as law.

(f) DEFINITION.—For purposes of this section, the term ''domestic discretionary spending account'' means each budget account that was for purposes of section 601(a) of the Congressional Budget Act of 1974 considered to be with respect to fiscal year 1993 within the domestic discretionary category, and each new account not classified as within function 050 or 150.

(g) RESCISSION OF FUNDS.—Of the funds made available under the heading ''Federal Emergency Management Agency—Disaster Relief'' in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1994 (Pub. L. 103–124), $15,000,000 is rescinded.

SEC. 219. ELIMINATION OF WEATHER OFFICE CLOSURE CERTIFICATION PROCEDURES.

(a) IN GENERAL.—Title VII of the National Oceanic and Atmospheric Administration Authorization Act of 1992 is repealed.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the repeal made by subsection (a) will not result in a degradation of weather forecasting service.

(c) RESCISSION OF FUNDS.—Of the funds made available under the heading ''National Oceanic And Atmospheric Administration—Operations, Research, and Facilities'' in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–121), $20,000,000 is rescinded, to be derived from the National Weather Service.

SEC. 220. RESCISSION OF FUNDS FOR NOAA RESEARCH FLEET.

Of the funds made available under the heading ''National Oceanic And Atmospheric Administration—Fleet Modernization, Shipbuilding and Conversion'' in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–121), $77,064,000 is rescinded.

SEC. 221. RESCISSION OF FUNDS FOR NOAA ADD-ONS.

Of the funds made available under the heading ''National Oceanic And Atmospheric Administration'' in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–121), there are rescinded the following amounts from the following accounts:

(1) ''Operations, Research, and Facilities'', $71,298,000.

(2) ''Construction'', $29,840,000.

(3) ''Aircraft Procurement and Modernization'', $43,000,000.

SEC. 222. STUDY CONCERNING MERGER OF BUREAU OF RECLAMATION AND UNITED STATES ARMY CORPS OF ENGINEERS.

(a) FINDING.—The Congress finds—

(1) that similar functions should be administered in the same agency;

(2) that the Bureau of Reclamation is currently reevaluating its mission; and

(3) now is the proper time for the Bureau of Reclamation and the Corps of Engineers to evaluate the feasibility of a merger.

(b) STUDY.—Not later than one year after the date of enactment of this Act, the Secretary of the Interior, acting through the Commissioner of Reclamation, and the Secretary of the Army, acting through the Chief of Engineers, shall jointly conduct a study and submit a report to the Congress on merging the Bureau of Reclamation with the Corps of Engineers. The study shall include an examination of the administrative efficiencies that could be achieved in addition to the change and reorganization referred to in subsection (a), including—

(1) a the financial savings through administrative efficiency that would be obtained through such a merger; and

(2) the realignment of water projects such that similar projects are treated in a similar manner.

SEC. 223. RESCISSION OF FUNDS FOR AGRICULTURE BUILDING AND FACILITIES ACCOUNT.

Of the funds made available under the heading ''Cooperative State Research Service—Buildings and Facilities'' in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–111), $56,874,000 is rescinded.

SEC. 224. REPEAL OF AUTHORIZATIONS FOR THE AIRWAY SCIENCE PROGRAM, COLLEGIATE TRAINING INITIATIVE, AND AIR CARRIER MAINTENANCE TECHNICIAN TRAINING FACILITY GRANT PROGRAM.

(a) AIRWAY SCIENCE PROGRAM.—All authority for—

(1) the Secretary of Transportation to enter into grant agreements with universities or colleges having an airway science curriculum recognized by the Federal Aviation Administration for conducting demonstration projects with respect to the development, advancement, and expansion of airway science programs, and

(2) the Federal Aviation Administration to enter into competitive grant agreements with institutions of higher education having airway science curricula,

and all authorizations to appropriate funds for such purposes, including all authorizations for which funds were appropriated for such purposes under the heading ''Federal Aviation Administration, Facilities and Equipment'' in the Department of Transportation and Related Agencies Appropriations Acts, 1994 are repealed.

(b) COLLEGIATE TRAINING INITIATIVE.—Section 362 of the Department of Transportation and Related Agencies Appropriations Act, 1993 (106 Stat. 1560) is repealed. Notwithstanding such repeal, the Administrator of the Federal Aviation Administration may continue to convert appointment of persons who have been appointed pursuant to such section prior to the effective date of this Act from the excepted service to a career conditional or career appointment in the competitive civil service, pursuant to subsection (c) of such section.

(c) AIR CARRIER MAINTENANCE TECHNICIAN TRAINING FACILITY GRANT PROGRAM.—Section 119 of the Airport and Airway Safety, Capacity, Noise Improvement, and Intermodal Transportation Act of 1992 (49 U.S.C. App. 1354 note; 106 Stat. 4883–4884) is repealed.

(d) RESCISSION OF FUNDS.—

(1) FAA OPERATIONS.—Of the funds made available under the heading ''Federal Aviation Administration—Operations'' in the Department of Transportation and Related Agencies Appropriations Act, 1994 (Pub. L. 103–122), $2,750,000 is rescinded, to be derived from grants to the Mid-American Aviation Resource Consortium and vocational technical institutions.

(2) FAA FACILITIES AND EQUIPMENT.—Of the unobligated balance of funds made available under the heading ''Federal Aviation Administration—Facilities and Equipment'' in appropriations Acts for fiscal year 1994 and prior fiscal years, $40,257,111 is rescinded, to be derived from the airway science program.

SEC. 225. REPEAL OF NATIONAL RECREATIONAL TRAILS PROGRAM.

The Symms National Recreational Trails Act of 1991 (16 U.S.C. 1261–1262; 105 Stat. 2064–2069) is repealed.

SEC. 226. RESCISSION OF FUNDS FOR EDA.

Of the funds made available under the heading ''Economic Development Administration—Economic Development Assistance Programs''in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–121), $159,892,000 is rescinded.

SEC. 227. ELIMINATION OF FUNDING FOR PUBLIC TELECOMMUNICATIONS FACILITIES.

(a) REPEAL OF AUTHORIZATION OF APPROPRIATIONS.—Subpart A of Part IV of title III of the Communications Act of 1934 (47 U.S.C. 390-393a) is repealed.

(b) RESCISSION OF FUNDS.—Of the funds made available under the heading ''National Telecommunications and Information Administration—Public Telecommunications Facilities, Planning and Construction'' in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–121), $24,000,000 is rescinded.

SEC. 228. MORATORIUM ON CONSTRUCTION AND ACQUISITION OF NEW FEDERAL BUILDINGS.

(a) GENERAL RULE.—After the date of the enactment of this Act and before October 1, 1998, the Administrator of General Services may not obligate any funds for construction or acquisition of any public building under the authority of the Public Buildings Act of 1959 or any other provision of law (other than a public building under construction or under contract for acquisition on such date of enactment).

(b) PUBLIC BUILDING DEFINED.—In this section, the term ''public building'' has the meaning such term has under the Public Buildings Act of 1959.

TITLE III—GOVERNMENT MANAGEMENT

SEC. 301. GOVERNMENT INFORMATION DISSEMINATION AND PRINTING IMPROVEMENT.

(a) TRANSFER OF FUNCTIONS.—

(1) PUBLIC PRINTER.—The position of Public Printer and all functions of the position of Public Printer (other than functions of the Superintendent of Documents) under title 44, United States Code, or any other provision of law are transferred from the legislative branch of the Government to the executive branch of the Government.

(2) SUPERINTENDENT OF DOCUMENTS.—The position of Superintendent of Documents and all functions of the position of Superintendent of Documents under title 44, United States Code, or any other provision of law are transferred to the Library of Congress and shall be carried out by the Superintendent of Documents under the direction of the Librarian of Congress. The Superintendent of Documents shall be appointed by, and serve at the pleasure of, the Librarian of Congress.

(3) REVOCATION OF CHARTERS.—All printing plant charters authorized under section 501 of title 44, United States Code, are revoked.

(4) EFFECTIVE DATE.—The transfer under paragraph (1) and the revocation under paragraph (3) shall each take effect 2 years after the date of the enactment of this Act. The transfer under paragraph (2) shall take effect one year after the date of the enactment of this Act.

(b) GOVERNMENT PUBLICATIONS TO BE AVAILABLE THROUGHOUT THE GOVERNMENT.—All Government publications shall be available throughout the Government to any department, agency, or entity of the Government for use or redissemination.

(c) INVENTORY AND FURNISHING OF GOVERNMENT PUBLICATIONS.—Each department, agency, and other entity of the Government shall—

(1) establish and maintain a comprehensive inventory of its Government publications;

(2) make such inventory available through the electronic directory under chapter 41 of title 44, United States Code; and

(3) in the form and manner prescribed by the Superintendent of Documents, furnish its Government publications to the Superintendent of Documents.

(d) ADDITIONAL RESPONSIBILITIES OF THE PUBLIC PRINTER.—

(1) IN GENERAL.—The Public Printer shall, with respect to the executive branch of the Government and the judicial branch of the Government—

(A) use all necessary measures to remedy neglect, delay, duplication, and waste in the public printing and binding of Government publications, including the reduction and elimination of internal printing and high-speed duplicating capacities of departments, agencies, and entities;

(B) prescribe Government publishing standards, which, to the greatest extent practicable, shall be consistent with the United States Government Printing Office Style Manual;

(C) prescribe Government procurement and manufacturing requirements for printing paper and writing paper, which, to the greatest extent practicable, shall be consistent with Government Paper Specification Standards;

(D) authorize the acquisition and transfer of equipment requisitioned by publishing facilities authorized under section 501 of title 44, United States Code;

(E) authorize the disposal of such equipment pursuant to section 312 of title 44, United States Code; and

(F) establish policy for the acquisition of printing, which, to the greatest extent practicable, shall be consistent with (i) Printing Procurement Regulation (GPO Publication 305.3), (ii) Government Printing and Binding Regulations (JCP No. 26), and (ii) Printing Procurement Department Instruction (PP304.1B).

(2) POLICY STANDARDS.—The policy referred to in paragraph (1)(F) shall be formulated to maximize competitive procurement from the private sector. Government in-house printing and duplicating operations authorized under section 501 of title 44, United States Code, or otherwise authorized by law, may be used if they provide printing at the lowest cost to the Government, taking into consideration the total expense of production, materials, labor, equipment, and general and administrative expense, including all levels of overhead.

(e) ADDITIONAL RESPONSIBILITIES OF THE SUPERINTENDENT OF DOCUMENTS.—

(1) GOVERNMENT PUBLICATIONS TO BE FURNISHED TO THE SUPERINTENDENT OF DOCUMENTS.—If a department, agency, or other entity of the Government publishes a Government publication, the head of the department, agency, or entity shall furnish the Government publication to the Superintendent of Documents not later than the date of release of the material to the public.

(2) DISSEMINATION OR REPUBLICATION.—In addition to any other dissemination provided for by law, the Superintendent of Documents shall disseminate or republish Government publications, if, as determined by the Superintendent, the dissemination by the department, agency, or entity of the Government is inadequate. The Superintendent shall have authority to carry out the preceding sentence by appropriate means, including the dissemination and republication of Government publications furnished under paragraph (1), with the cost of dissemination and republication to be borne by the department, agency, or entity involved.

(3) COST.—The cost charged to the public by the superintendent of documents under paragraph (2) for any government publication (whether such government publication is made available to the public by a department, agency, or entity of the government, or by the superintendent of documents) may include the incremental cost of dissemination, but may not include any profit.

(f) DEPOSITORY LIBRARIES.—In addition to any other distribution provided for by law, the Superintendent of Documents shall make Government publications available to designated depository libraries and State libraries. The Superintendent shall have authority to carry out the preceding sentence by appropriate means, including the dissemination and republication of Government publications furnished under subsection (e)(1), with the cost of dissemination and republication to be borne by the department, agency, or entity involved.

(g) DEFINITIONS.—As used in this section—

(1) the term ''Government publication'' means any informational matter that is published at Government expense, or as required by law; and

(2) the term ''publish'' means, with respect to informational matter, make available for dissemination.

SEC. 302. SENSE OF CONGRESS REGARDING REORGANIZATION OF BUREAU OF INDIAN AFFAIRS.

It is the sense of the Congress that—

(1) the Bureau of Indian Affairs should be reorganized, with special attention given to the reorganizing the Bureau's 12 area offices into not more than 5 regional service centers and 2 special service offices; and

(2) such reorganization should be pursued in coordination with the Task Force on Bureau of Indian Affairs reorganization, as provided in the Department of the Interior and

Related Agencies Appropriations Act, 1994 (Pub. L. 103–138).

SEC. 303. RESCISSION OF FUNDS FOR PRINTING AND REPRODUCTION AND FOR SUPPLIES AND MATERIALS.

(a) IN GENERAL.—Of the funds made available in appropriations Acts for fiscal year 1994 to the following agencies for printing and reproduction and for supplies and materials, the following amounts are rescinded:

(1) Department of Agriculture, $186,000,000.

(2) Department of Commerce, $6,000,000.

(3) Department of Health and Human Services, $22,400,000.

(4) Department of the Interior, $14,400,000.

(5) Department of Justice, $15,600,000.

(6) Department of Labor, $2,000,000.

(7) Department of State, $4,400,000.

(8) Department of the Treasury, $13,200,000.

(9) Department of Education, $400,000.

(10) Department of Energy, $2,800,000.

(11) Environmental Protection Agency, $11,200,000.

(12) Department of Transportation, $33,200,000.

(13) Department of Housing and Urban Development $240,000.

(14) Department of Veterans Affairs, $97,200,000.

(b) ALLOCATION.—The Director of the Office of Management and Budget shall allocate the rescissions made by subsection (a) among the appropriate accounts, and shall submit to the Congress a report setting forth such allocation.

SEC. 304. STREAMLINING OF DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

(a) IN GENERAL.—During the 5-year period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall streamline the headquarters, regional, and field office structure of the Department of Housing and Urban Development by consolidating various of such offices and reducing the size of the Department, without regard to the requirements of section 7(p) of the Department of Housing and Urban Development Act.

(b) WORKFORCE REDUCTIONS.—In carrying out subsection (a), during the period referred to in such subsection, the Secretary of Housing and Urban Development shall eliminate not less than 1,500 full-time employment positions in the Department of Housing and Urban Development.

SEC. 305. TERMINATION OF INTERSTATE COMMERCE COMMISSION.

(a) IN GENERAL.—There are transferred to the Secretary, effective January 1, 1994, all functions of the Commission.

(b) AUTHORITY OF OFFICE OF MANAGEMENT AND BUDGET.—The Director of the Office of Management and Budget, in consultation with the Commission and the Secretary, may make such determinations as may be necessary with regard to the functions transferred by this section, and to make such additional incidental dispositions of assets, liabilities, contracts, property, and records, as may be necessary to carry out the provisions of this section. The unobligated funds of the Commission shall not be transferred to the Department of Transportation in order to carry out the transfer of functions under this section, and the number of fulltime employee positions within the Department of Transportation shall not be increased as a result of such transfer of functions.

(c) JOINT PLANNING FOR TRANSFER.—The Chairman of the Commission and the Secretary shall, beginning as soon as practicable after the date of enactment of this section, jointly plan for the orderly transfer of functions under this section.

(d) INTERIM USE OF INTERSTATE COMMERCE COMMISSION PERSONNEL.—Prior to January 1, 1994, and with the consent of the Commission, the Secretary may use the services of officers, employees, and other personnel of the Commission under such terms and conditions as will reasonably facilitate the orderly transfer of functions under this section.

(e) SAVINGS PROVISIONS.—

(1) IN GENERAL.—All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

(A) which have been issued, made, granted, or allowed to become effective by any agency or official thereof, or by a court of competent jurisdiction, in the performance of any function which is transferred by this section to the Secretary from the Commission; and

(B) which are in effect immediately before the transfer of functions by this section,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the Secretary or any other duly authorized official, by any court of competent jurisdiction, or by operation of law.

(2) CONTINUATION OF PROCEEDINGS.—The transfer of functions by this section shall not affect any proceedings, including rulemaking proceedings, or any application for any license, permit, or certificate, pending before the Commission immediately before the transfer takes effect. Such proceedings and applications shall be continued at the Department of Transportation. Orders shall be issued in such proceedings, and appeals shall be taken therefrom, as if this section had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by the Secretary of Transportation, by a court of competent jurisdiction, or by operation of law. Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this section had not been enacted.

(3) EFFECT ON PENDING CIVIL ACTIONS.—Except as provided in paragraph (5)—

(A) the transfer of any function under this section shall not affect any civil action relating to such function which is commenced prior to the date the transfer takes effect; and

(B) in all such actions, proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this section had not been enacted.

(4) NONABATEMENT OF ACTIONS.—No action or other proceeding commenced by or against any officer in that officer's official capacity as an officer of the Commission shall abate by reason of the transfer of any function under this section. No cause of action by or against the Commission, or by or against any officer thereof in that officer's official capacity, shall abate by reason of the transfer of any function under this section.

(5) JUDICIAL ADMINISTRATIVE PROVISION.—If immediately before the transfer of functions by this section the Commission or any officer thereof in that officer's official capacity is a party to an action relating to a function transfer by this section, then such action shall be continued with the Secretary or other appropriate official of the Department of Transportation substituted or added as a party.

(6) REFERENCES.—With respect to any function transferred by this section and performed on or after the effective date of the transfer, reference in any Federal law to the Interstate Commerce Commission or the Commission (insofar as such term refers to the Interstate Commerce Commission), or to any officer or office thereof, shall be deemed to refer to the Department of Transportation, or other official or component of the Department of Transportation in which such function vests.

(7) EXERCISE OF FUNCTIONS BY SECRETARY.—In the exercise of any function transferred by this section, the Secretary shall have the same authority as that vested in the Commission with respect to such function immediately preceding its transfer, and actions of the Secretary shall have the same force and effect as when exercised by the Commission. Orders and actions of the Secretary in the exercise of the functions transferred under this section shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the Commission in the exercise of such functions immediately preceding their transfer. Any statutory requirements relating to notice, hearings, actions upon the record, or administrative review that apply to any functions transferred by this section shall apply to the exercise of such functions by the Secretary.

(f) REPORTS.—No later than July 1, 1994, the Secretary shall submit to the appropriate committees of Congress a report on the functions transferred from the Commission to the Department of Transportation under this section. The report shall include—

(1) an assessment of benefits compared to costs associated with each of these functions, both with respect to persons affected directly and to the public generally;

(2) recommendations for the elimination of functions identified as redundant, or substantially the same as functions or services which are performed by the Department of Transportation or other public or private organizations prior to the transfer of functions under this section; and

(3) recommendations to modify or eliminate those functions that do not provide substantial economic or safety benefits to the general public.

(g) CONFORMING AMENDMENTS.—

(1) EXECUTIVE LEVEL PAY RATES.—

(A) Section 5314 of title 5, United States Code, is amended by striking ''Chairman, Interstate Commerce Commission.''.

(B) Section 5315 of title 5, United States Code, is amended by striking ''Members, Interstate Commerce Commission.''.

(2) TERMINATION OF COMMISSION.—Sections 10301 through 10308 of title 49, United States Code, are repealed.

(3) EFFECTIVE DATE.—The amendments made by this section shall become effective on January 1, 1994.

(h) DEFINITIONS.—In this section—

(1) the term ''Commission'' means the Interstate Commerce Commission;

(2) the term ''function'' means a function, power, or duty; and

(3) the term ''Secretary'' means the Secretary of Transportation.

(i) RESCISSION AND TRANSFER OF FUNDS.—Of the funds made available under the heading ''Interstate Commerce Commission—Salaries and Expenses'' in the Department of Transportation and Related Agencies Appropriations Act, 1994 (Pub. L. 103–122)—

(1) $18,000,000 is rescinded; and

(2) $15,000,000 shall be transferred to and merged with the appropriation in such Act for ''DEPARTMENT OF TRANSPORTATION—OFFICE OF THE SECRETARY—Immediate Office of the Secretary''.

SEC. 306. RESCISSION OF FUNDS FROM TENNESSEE VALLEY AUTHORITY FUND.

Of the funds in the Area and Regional Account of the Tennessee Valley Authority Fund, $23,000,000 is rescinded.

SEC. 307. RESCISSION OF FUNDS FOR APPALACHIAN REGIONAL COMMISSION.

Of the funds made available under the heading ''Appalachian Regional Commission'' in the Energy and Water Development Appropriations Act, 1994 (Pub. L. 103–126), $59,000,000 is rescinded.

SEC. 308. IMPROVEMENTS TO MANAGMENT OF VETERANS' HOSPITALS.

The Secretary of Veterans Affairs, in consultation with the Secretary of Health and Human Services, shall implement for the Veterans Health Administration a financing system known as a ''Prospective Payment System''. In implementing such a system, the Secretary shall classify each individual receiving health care and services under chapter 17 of title 38, United States Code, in a Diagnosis-Related Group (DRG). The Prospective Payment System implemented by the Secretary shall be modeled as closely as is practicable on the Prospective Payment System in use for the Medicare program under title XVIII of the Social Security Act. The Secretary may, to the extent necessary to implement this section, waive any provisions of law inconsistent with this section. In implementing this section, it shall be a goal of the Secretary to achieve savings in outlays for the Department of Veterans Affairs medical system of not less than $1,000,000,000 over the five-year period of fiscal years 1994 through 1998.

SEC. 309. RESCISSION OF FUNDS FOR LEGAL SERVICES CORPORATION.

Of the funds made available under the heading ''Legal Services Corporation—Payment to the Legal Services Corporation'' in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–121), $20,000,000 is rescinded.

SEC. 310. TERMINATION STATE JUSTICE INSTITUTE.

(a) IN GENERAL.—The State Justice Institute Act of 1984 (42 U.S.C. 10701 et seq.) is repealed.

(b) RESCISSION OF FUNDS.—Of the funds made available under the heading ''State Justice Institute—Salaries and Expenses'' in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–121), $6,775,000 is rescinded.

SEC. 311. IMPROVEMENT OF U.S. MARSHALS SERVICE.

(a) PHASING OUT OF POLITICAL APPOINTEES.—

(1) UNCONFIRMED APPOINTEES.—Any individual serving as a United States marshal to whose appointment to such office the Senate has not given its advice and consent as of the date of the enactment of this Act, may no longer serve in such position on or after such date of enactment, except pursuant to appointment by the Attorney General under the amendments made by this section. The Attorney General shall, before appointing any other individual to such vacated position, offer such vacated position to the individual then serving as deputy marshal in that office of United States marshal. The individual appointed to fill such vacated position shall be appointed for the remainder of the unexpired term of his or her predecessor.

(2) CONFIRMED APPOINTEES.—Any individual who, on the date of the enactment of this Act, is a United States marshal to whose appointment the Senate has given its advice and consent, may not serve in such position on or after December 31, 1994, except pursuant to appointment by the Attorney General under the amendments made by this section. The Attorney General shall, before appointing any other individual to such vacated position, offer such vacated position to the individual then serving as deputy marshal in that office of United States marshal. The individual appointed to fill such vacated position shall be appointed for the remainder of the unexpired term of his or her predecessor.

(b) APPOINTMENT OF UNITED STATES MARSHALS.—Section 561 of title 28, United States Code, is amended—

(1) in subsection (c) by striking ''The President shall appoint, by and with the advice and consent of the Senate,'' and inserting ''The Attorney General shall appoint''; and

(2) in subsection (d) by striking ''President'' and inserting ''Attorney General''.

(c) OVERALL REDUCTION IN NUMBER OF POSITIONS.—

(1) ELIMINATION OF POSITIONS OF DEPUTY MARSHAL.—The position of deputy marshal in the 70 judicial districts having the least population of all judicial districts shall be abolished, as of—

(A) the date of the enactment of this Act, in a case in which subsection (a)(1) applies; or

(B) the date on which the United States marshal leaves office under the first sentence of subsection (a)(2), in a case in which such subsection applies;

and no equivalent position in such districts shall thereafter be created.

(2) OVERALL REDUCTION.—The number of full-time equivalent positions in the United States Marshals Service as of January 1, 1995, may not exceed the number of full-time equivalent positions in the United States Marshals Service on the date of the enactment of this Act, minus 70.

(d) CONFORMING AMENDMENTS.—(1) Section 562 of title 28, United States Code, and the item relating to such section in the table of sections at the beginning of chapter 37 of such title, are repealed.

(2) Section 569 of such title is amended—

(A) by striking ''(a)''; and

(B) by striking subsection (b).

SEC. 312. RESCISSION OF FUNDS FOR BATF.

Of the funds made available under the heading ''Bureau of Alcohol, Tobacco and Firearms—Salaries and Expenses'' in the Treasury, Postal Service, and General Government Appropriations Act, 1994 (Pub. L. 103–123), $2,000,000 is rescinded.

SEC. 313. RESCISSION OF FUNDS FOR CONSTRUCTION OF NEW FEDERAL OFFICES AND COURTHOUSES.

Of the funds made available under the heading ''General Services Administration—Federal Buildings Fund'' in the Treasury, Postal Service, and General Government Appropriations Act, 1994 (Pub. L. 103–123), $288,000,000 is rescinded.

SEC. 314. LIMITATION ON OFFICE EQUIPMENT AND FURNISHINGS PURCHASES BY DEPARTING MEMBERS OF HOUSE OF REPRESENTATIVES.

The first section of the Act entitled ''An Act to authorize the disposition of certain office equipment and furnishings, and for other purposes'', enacted October 20, 1974 (2 U.S.C. 59a) is repealed.

SEC. 315. RESCISSION OF FUNDS FOR EXECUTIVE OFFICE OF THE PRESIDENT.

(a) IN GENERAL.—Of the funds made available for each account under the heading ''Executive Office of the President and Funds Appropriated to the President'' in the Treasury, Postal Service, and General Government Appropriations Act, 1994 (Pub. L. 103–123), there is rescinded an amount equal to 5 percent of such funds.

(b) ADDITIONAL OFFICES.—Of the funds made available for each account under the heading ''Executive Office of the President'' in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1994 (Pub. L. 103–124), there is rescinded an amount equal to 5 percent of such funds.

SEC. 316. RESCISSION OF FUNDS FOR LEGISLATIVE BRANCH.

(a) IN GENERAL.—Of the funds made available for each account in the Legislative Branch Appropriations Act, 1994 (Pub. L. 103–69), there is rescinded an amount equal to 7.5 percent of such funds.

(b) EXCEPTIONS.—Subsection (a) shall not apply to—

(1) funds made available under the heading ''Congressional Operations—Senate''; or

(2) funds for which amounts are rescinded by section 317.

SEC. 317. RESCISSION OF FUNDS FOR HOUSE FRANKING.

Of the funds made available under the heading ''House of Representatives—Salaries and Expenses'' in the Legislative Branch Appropriations Act, 1994 (Pub. L. 103–69), $12,000,000 is rescinded, to be derived from ''Official Mail Costs''.

SEC. 318. PROVISIONS RELATING TO ANNUAL PAY ADJUSTMENTS FOR MEMBERS OF CONGRESS.

(a) CALENDAR YEAR 1994.—Notwithstanding section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31(2)), the cost of living adjustment (relating to pay for Members of Congress) which would become effective under such provision of law during calendar year 1994 shall not take effect.

(b) LIMITATION ON FUTURE ADJUSTMENTS.—Effective as of December 31, 1994, paragraph (2) of section 601(a) of the Legislative Reorganization Act of 1946 is amended—

(1) by striking ''(2) Effective'' and inserting ''(2)(A) Subject to subparagraph (B), effective''; and

(2) by adding at the end the following:

''(B) In no event shall the percentage adjustment taking effect under subparagraph (A) in any calendar year exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule.''.

SEC. 319. SES ANNUAL LEAVE ACCUMULATION.

(a) IN GENERAL.—Effective on the last day of the last applicable pay period beginning in calendar year 1993, subsection (f) of section 6304 of title 5, United States Code, is repealed.

(b) SAVINGS PROVISION.—Notwithstanding the amendment made by subsection (a), in the case of an employee who, on the effective date of subsection (a), is subject to subsection (f) of section 6304 of title 5, United States Code, and who has to such employee's credit annual leave in excess of the maximum accumulation otherwise permitted by subsection (a) or (b) of section 6304, such excess annual leave shall remain to the credit of the employee and be subject to reduction, in the same manner as provided in subsection (c) of section 6304.

(c) CONFORMING AMENDMENT.—Section 6304(a) of title 5, United States Code, is amended by striking ''(e), (f), and (g)'' and inserting ''(e) and (g)'', effective as of the effective date of subsection (a).

(d) RESCISSION OF FUNDS.—Of the aggregate funds made available to executive departments and agencies in appropriations Act for fiscal year 1994 for purposes of payments for accrued leave upon termination of employment, $2,000,000 is rescinded. The Director of the Office of Management and Budget shall allocate such rescission among the appropriate accounts, and shall submit to the Congress a report setting forth such allocation.

SEC. 320. REDUCTION OF FEDERAL FULL-TIME EQUIVALENT POSITIONS.

(a) DEFINITION.—For purposes of this section, the term ''agency'' means an Executive agency as defined under section 105 of title 5, United States Code, but does not include the General Accounting Office.

(b) LIMITATIONS ON FULL-TIME EQUIVALENT POSITIONS.—The President, through the Office of Management and Budget (in consultation with the Office of Personnel Management), shall ensure that the total number of full-time equivalent positions in all agencies shall not exceed—

(1) 2,053,600 during fiscal year 1994;

(2) 1,999,600 during fiscal year 1995;

(3) 1,945,600 during fiscal year 1996;

(4) 1,895,600 during fiscal year 1997; and

(5) 1,851,600 during fiscal year 1998.

(c) MONITORING AND NOTIFICATION.—The Office of Management and Budget, after consultation with the Office of Personnel Management, shall—

(1) continuously monitor all agencies and make a determination on the first date of each quarter of each applicable fiscal year of whether the requirements under subsection (b) are met; and

(2) notify the President and the Congress on the first date of each quarter of each applicable fiscal year of any determination that any requirement of subsection (b) is not met.

(d) COMPLIANCE.—If at any time during a fiscal year, the Office of Management and Budget noifies the President and the Congress that any requirement under subsection (b) is not met, no agency may hire any employee for any position in such agency until the Office of Mangement and Budget notifies the President and the Congress that the total number of full-time equivalent positions for all agencies equals or is less than the applicable number required under subsection (b).

(e) WAIVER.—Any provision of this section may be waived upon—

(1) a determination by the President of the existence of war or a national security requirement; or

(2) the enactment of a joint resolution upon an affirmative vote of three-fifths of the Members of each House of the Congress duly chosen and sworn.

(f) RESCISSION OF FUNDS.—Of the aggregate funds made available to executive departments and agencies in appropriations Act for fiscal year 1994 for purposes of employee compensation, $2,122,000,000 is rescinded. The Director of the Office of Management and Budget shall allocate such rescission among the appropriate accounts, and shall submit to the Congress a report setting forth such allocation.

SEC. 321. RESCISSION OF FUNDS FOR TRAVEL ACCOUNTS.

(a) IN GENERAL.—Of the funds made available in any appropriations Act for fiscal year 1994 to any executive department or agency, or any entity in the legislative branch, for purposes of official travel, 15 percent is rescinded. The Director of the Office of Management and Budget shall allocate such rescission among the appropriate accounts, and shall submit to the Congress a report setting forth such allocation.

(b) EXCEPTIONS.—Subsection (a) shall not apply to—

(1) the Department of Defense, the Department of Justice, the Department of State, the Department of the Treasury, the Department of Veterans Affairs, or any agency or office within any such department; or

(2) the Office of Personnel Management in carrying out its responsibilities under the Voting Rights Act of 1965.

SEC. 322. TERMINATION OF FEDERAL ADVISORY COMMITTEES.

(a) TERMINATION.—The entities described in subsection (b) are terminated.

(b) ENTITIES DESCRIBED.—The entities referred to in subsection (a) are the following:

(1) Preservation of Jazz Advisory Commission.

(2) Mt. Saint Helen's Scientific Advisory Board.

(3) Advisory Panel for the Dictionary of Occupational Titles.

(4) U.S. Army Medical Research and Development Advisory Board.

(5) Secretary of the Navy's Advisory Committee on Naval History.

(6) Scientific Advisory Committee on Effects.

(7) Advisory Committee on Publications Subvention.

(8) National Advisory Council on Educational Research and Improvement.

(9) Advisory Panel for the Decontamination of TMI–2.

(10) Technical Advisory Group on Cigarette Fire Safety.

(11) Advisory Commission of Swine Health Protection.

(c) SAVINGS PROVISIONS.—

(1) CONTINUATION OF AGREEMENTS, GRANTS, CONTRACTS, PRIVILEGES, AND OTHER ADMINISTRATIVE ACTIONS.—All agreements, grants, contracts, privileges, and other administrative actions—

(A) which have been issued, made, granted, or allowed to become effective by an entity described in subsection (b) in the performance of its functions or by a court of competent jurisdiction with respect to those functions, and

(B) which are in effect on the date of the enactment of this Act, or were final before that date of enactment and are to become effective on or after that date of enactment,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, any other authorized official, a court of competent jurisdiction, or operation of law.

(2) SUITS NOT AFFECTED.—The provisions of this section shall not affect suits commenced before the date of the enactment of this Act, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this section had not been enacted.

(3) SUITS INVOLVING COUNCIL OR OFFICE.—No suit, action, or other proceeding commenced by or against an entity described in subsection (b), or by or against any individual in the official capacity of such individual as an officer or employee of such an entity, shall abate by reason of the enactment of this section.

SEC. 323. INCREASE IN THRESHOLD FOR APPLICATION OF DAVIS-BACON ACT.

(a) IN GENERAL.—Subsection (a) of the first section of the Act of March 3, 1931 (40 U.S.C. 276a et seq.) (known as the ''Davis-Bacon Act'') is amended by striking ''$2,000'' and inserting ''$100,000''.

(b) RESCISSION OF FUNDS.—Of the aggregate funds made available to executive departments and agencies in appropriations Act for fiscal year 1994 for purposes of construction activities under the Act of March 3, 1931 (40 U.S.C. 276a et seq.) (known as the ''Davis-Bacon Act'') or similar prevailing wage requirements applicable to projects assisted by Federal funds, $62,000,000 is rescinded. The Director of the Office of Management and Budget shall allocate such rescission among the appropriate accounts, and shall submit to the Congress a report setting forth such allocation.

SEC. 324. ELIMINATION OF CERTAIN REPORTS REQUIRED ON CONTRACTS COVERED BY DAVIS-BACON ACT.

(a) IN GENERAL.—The first sentence of section 2 of the Act of June 13, 1934, entitled ''An Act to effectuate the purpose of certain statutes concerning rates of pay for labor, by making it unlawful to prevent anyone from receiving the compensation contracted for thereunder, and for other purposes'' (40 U.S.C. 276c) (known as the ''Copeland Act'') is amended by striking ''shall furnish weekly a statement with respect to the wages paid each employee during the preceding week'' and inserting ''shall furnish, at least once per month, a statement of compliance with the labor standards provisions of applicable law, certifying the payroll with respect to the wages paid employees during the preceding period for which the statement is furnished, covering each week any contract work is performed''.

(b) RESCISSION OF FUNDS.—Of the aggregate funds made available to executive departments and agencies in appropriations Act for fiscal year 1994 for purposes of construction activities submitted under section 2 of the Act of June 13, 1934 (40 U.S.C. 276c) (known as the ''Copeland Act''), $55,000,000 is rescinded. The Director of the Office of Management and Budget shall allocate such rescission among the appropriate accounts, and shall submit to the Congress a report setting forth such allocation.

SEC. 325. FEES FOR APPLICATIONS FOR ALCOHOL LABELING AND FORMULA REVIEWS.

(a) IN GENERAL.—The Secretary of the Treasury or his delegate (in this section referred to as the 'Secretary') shall establish a program requiring the payment of user fees for—

(1) requests for each certificate of alcohol label approval required under the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.) and for each request for exemption from such requirement, and

(2) requests for each formula review, and requests for each statement of process (including laboratory tests and analyses), under such Act or under chapter 51 of the Internal Revenue Code of 1986.

(b) PROGRAM CRITERIA.—

(1) IN GENERAL.—The fees charged under the program required by subsection (a) shall be determined such that the Secretary estimates that the aggregate of such fees received during any fiscal year will be $5,000,000.

(2) MINIMUM FEES.—The fee charged under the program required by subsection (a) shall not be less than—

(A) $50 for each request referred to in subsection (a)(1), and

(B) $250 for each request referred to in subsection (a)(2).

(c) APPLICATION OF SECTION.—Subsection (a) shall apply to requests made on or after the 90th day after the date of the enactment of this Act.

(d) DEPOSIT AND CREDIT AS OFFSETTING RECEIPTS.—The amounts collected by the Secretary under the program required by subsection (a) (to the extent such amounts do not exceed $5,000,000) shall be deposited into the Treasury as offsetting receipts and ascribed to the alcohol compliance program of the Bureau of Alcohol, Tobacco, and Firearms.

SEC. 326. INCREASE IN SEC REGISTRATION FEES.

(a) SECURITIES ACT OF 1933.—Section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) is amended by striking ''one-fiftieth of 1 per centum'' and inserting ''1/29 of 1 percent''.

(b) SECURITIES EXCHANGE ACT OF 1934.—Sections 13(e)(3) and 14(g)(1)(A)(i) of the Securities Exchange Act of 1934 (47 U.S.C. 78m(e)(3), 78n(g)(1)(A)(i)) are each amended by striking ''1/50 of 1 per centum'' and inserting ''1/29 of 1 percent''.

(c) DEPOSIT AND CREDIT AS OFFSETTING RECEIPTS.—The amounts collected under the provisions amended by this section shall be deposited into the Treasury as offsetting receipts and ascribed to the salaries and expenses account of the Securities and Exchange Commission.

(d) APPLICABILITY.—The amendments made by subsections (a) and (b) shall not apply after September 30, 1998.

SEC. 327. TRAVEL, TOURISM, AND EXPORT PROMOTION FEES.

(a) TRAVEL AND TOURISM FEES.—

(1) IN GENERAL.—Each State that participates in marketing activities or tourism promotion abroad through the United States Travel and Tourism Administration shall pay a fee in an amount determined by such Administration so that the total receipts from such fees shall equal the budget of such Administration.

(2) DEPOSIT AND CREDIT AS OFFSETTING RECEIPTS.—The amounts collected under this

subsection shall be deposited into the Treasury as offsetting receipts and ascribed to the salaries and expenses account of the United States Travel and Tourism Adminsitration.

(b) EXPORT PROMOTION FEES.—

(1) IN GENERAL.—The Secretary of Commerce or his delegate (in this subsection referred to as the ''Secretary'') shall establish a program requiring the payment of user fees for all services provided to all entities outside the Federal Government by the International Trade Administration in carrying out its export promotion programs.

(2) SETTING OF FEES.—The fees charged under the program required by paragraph (1) shall be determined such that the Secretary estimates that the aggregate of such fees received during the following fiscal years will equal the following amounts:

(A) $100,000,000 during fiscal year 1994.

(B) $212,154,000 during fiscal year 1995.

(C) $224,821,000 during fiscal year 1996.

(D) $237,830,000 during fiscal year 1997.

(E) $251,648,000 during fiscal year 1998.

(3) APPLICATION OF SECTION.—Paragraph (1) shall apply to services provided on or after the 90th day after the date of the enactment of this Act.

(4) DEFINITION.—As used in this subsection, the term ''export promotion program'' has the meaning given that term in section 201(d) of the export administration amendments act of 1985 (15 U.S.C. 4051(d)) and includes—

(A) the provision of information and technical assistance; and

(B) any form of assistance in the marketing of goods and services.

(5) DEPOSIT AND CREDIT AS OFFSETTING RECEIPTS.—The amounts collected by the Secretary under the program required by paragraph (1) (to the extent such amounts do not exceed the amounts specified in paragraph (2)) shall be deposited into the Treasury as offsetting receipts and ascribed to the operations and administrations account of the International Trade Administration.

TITLE IV—HUMAN RESOURCES

SEC. 401. REDUCTION IN FUNDING FOR ARTS AND HUMANITIES PROGRAMS.

(a) NATIONAL ENDOWMENT FOR THE ARTS.—Section 11(d)(1) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 960(d)(1)) is amended by striking subparagraphs (A), (B), and (C), and inserting the following:

''(A) for fiscal year 1994, $166,823,000,

''(B) for fiscal year 1995, $163,487,000 or an amount equal to 98 percent of the total amount appropriated for fiscal year 1994 to carry out the activities of the Endowment, whichever is less,

''(C) for fiscal year 1996, $160,217,000 or an amount equal to 98 percent of the total amount appropriated for fiscal year 1995 to carry out the activities of the Endowment, whichever is less,

''(D) for fiscal year 1997, $157,012,000 or an amount equal to 98 percent of the total amount appropriated for fiscal year 1996 to carry out the activities of the Endowment, whichever is less, and

''(E) for fiscal year 1998, $153,872,000 or an amount equal to 98 percent of the total amount appropriated for fiscal year 1997 to carry out the activities of the Endowment, whichever is less.''.

(b) NATIONAL ENDOWMENT FOR THE HUMANITIES.—Section 11(d)(2) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 960(d)(2)) is amended by striking subparagraphs (A), (B), and (C), and inserting the following:

''(A) for fiscal year 1994, $173,941,000,

''(B) for fiscal year 1995, $170,462,000 or an amount equal to 98 percent of the total amount appropriated for fiscal year 1994 to carry out the activities of the Endowment, whichever is less,

''(C) for fiscal year 1996, $167,053,000 or an amount equal to 98 percent of the total amount appropriated for fiscal year 1995 to carry out the activities of the Endowment, whichever is less,

''(D) for fiscal year 1997, $163,712,000 or an amount equal to 98 percent of the total amount appropriated for fiscal year 1996 to carry out the activities of the Endowment, whichever is less, and

''(E) for fiscal year 1998, $160,438,000 or an amount equal to 98 percent of the total amount appropriated for fiscal year 1997 to carry out the activities of the Endowment, whichever is less.''.

(c) SMITHSONIAN INSTITUTION.—Notwithstanding any other law, the funds appropriated for the Smithsonian Institution for fiscal year 1994, 1995, 1996, 1997, or 1998 may not be obligated in an amount that exceeds 98 percent of the funds appropriated for such purpose for the preceding fiscal year.

(d) NATIONAL GALLERY OF ART.—Notwithstanding any other law, the funds appropriated for the National Gallery of Art for fiscal year 1994, 1995, 1996, 1997, or 1998 may not be obligated in an amount that exceeds 98 percent of the funds appropriated for such purpose for the preceding fiscal year.

(e) CORPORATION FOR PUBLIC BROADCASTING.—Notwithstanding any other law, the funds appropriated for the Corporation for Public Broadcasting for fiscal year 1995, 1996, 1997, or 1998 may not be obligated in an amount that exceeds 98 percent of the funds appropriated for such purpose for the preceding fiscal year.

(f) RESCISSION OF FUNDS.—Of the funds made available under each of the headings ''National Endowment for the Arts'', ''National Endowment for the Humanities'', ''Smithsonian Institution'', and ''National Gallery of Art'' in the Department of the Interior and Related Agencies Appropriations Act, 1994 (Pub. L. 103–138), 2 percent is rescinded.

SEC. 402. ELIMINATION OF OPERATING SUBSIDIES FOR VACANT PUBLIC HOUSING.

(a) IN GENERAL.—Section 9(a)(3)(B) of the United States Housing Act of 1937 (42 U.S.C. 1437g(a)(3)(B)) is amended—

(1) in clause (iv), by striking ''and'' at the end;

(2) in clause (v), by striking the period at the end and inserting ''; and''; and

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

''(vi) no payment may be provided under this section for any dwelling unit that has been vacant for a period of 180 days or more unless such unit is vacant because of comprehensive modernization, major reconstruction, demolition, or disposition activities that have been funded or approved.''.

(b) ELIMINATION OF ANNUAL CONTRIBUTION RESERVE.—Section 14(p) of the United States Housing Act of 1937 (42 U.S.C. 1437l(p)) is amended by striking paragraph (3).

(c) RECAPTURE OF ANNUAL CONTRIBUTION RESERVE.—The Secretary of Housing and Urban Development shall recapture any amounts reserved from annual contributions for public housing agencies and deposited in accounts established on behalf of the agencies pursuant to paragraph (3) of section 14(p) of the United States Housing Act of 1937 (as in effect immediately before the date of the enactment of this Act).

(d) RESCISSION OF FUNDS.—Of the funds made available under the heading ''Department of Housing and Urban Development—Housing Programs—Payments for Operation of Low-Income Housing Projects'' in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1994 (Pub. L. 103–124), $54,000,000 is rescinded.

SEC. 403. SUBSTITUTION OF VOUCHER ASSISTANCE FOR PUBLIC HOUSING NEW CONSTRUCTION.

(a) TERMINATION OF ASSISTANCE FOR CONSTRUCTION OF PUBLIC HOUSING.—

(1) LOAN AUTHORITY.—After the date of the enactment of this Act, the Secretary of Housing and Urban Development may not enter into any new commitment to make loans under section 4 of the United States Housing Act of 1937 to public housing agencies for the development or acquisition of public housing projects by such agencies.

(2) CONTRIBUTION AUTHORITY.—After the date of the enactment of this Act, the Secretary of Housing and Urban Development may not enter into any new contract to make contributions under section 5 of the United States Housing Act of 1937 to public housing agencies for the development or acquisition of public housing projects by such agencies.

(3) EXISTING COMMITMENTS.—After the date of the enactment of this Act, the Secretary of Housing and Urban Development may make contributions and loans for the development or acquisition of public housing projects only pursuant to legally binding commitments to make such loans or contracts for such contributions entered into on or before the date of the enactment of this Act.

(4) INAPPLICABILITY TO INDIAN HOUSING.—The provisions of this section shall not apply to public housing developed pursuant to a contract between the Secretary of Housing and Urban Development and an Indian housing authority.

(5) DEFINITIONS.—For purposes of this section, the terms ''Indian housing authority'', ''project'', ''public housing'', and ''public housing agency'' have the meanings given the terms in section 3(b) of the United States Housing Act of 1937.

(b) PERMISSIBLE USES.—Vouchers for rental assistance provided with the amounts made available under this section may be used for the rental of dwelling units or costs of residency, as determined by qualified voucher recipients.

(c) RESCISSION AND TRANSFER OF FUNDS.—Of the funds made available under the heading ''Department of Housing and Urban Development—Housing Programs—Annual Contributions for Assisted Housing'' in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1994 (Pub. L. 103–124)—

(1) $367,000,000 is rescinded from the total amount under such heading and from the amount specified under such heading for the development or acquisition cost of public housing; and

(2) $230,701,000 of the amount specified under such heading for the development or acquisition cost of public housing shall be reallocated to and merged with the amount specified under such heading for the housing voucher program under section 8(o) of the United States Housing Act of 1937.

SEC. 404. REFORM OF HUD MULTIFAMILY PROPERTY DISPOSITION.

(a) FINDINGS.—The Congress finds that—

(1) the portfolio of multifamily housing project mortgages insured by the FHA is severely troubled and at risk of default, requiring the Secretary to increase loss reserves from $5,500,000,000 in 1991 to $11,900,000,000 in 1992 to cover estimated future losses;

(2) the inventory of multifamily housing projects owned by the Secretary has more than tripled since 1989, and, by the end of 1993, may exceed 75,000 units;

(3) the cost to the Federal Government of owning and maintaining multifamily housing projects escalated to approximately $250,000,000 in fiscal year 1992;

(4) the inventory of multifamily housing projects subject to mortgages held by the Secretary has increased dramatically, to more than 2,400 mortgages, and approximately half of these mortgages, with over 230,000 units, are delinquent;

(5) the inventory of insured and formerly insured multifamily housing projects is rapidly deteriorating, endangering tenants and neighborhoods;

(6) over 5 million families today have a critical need for housing that is affordable and habitable; and

(7) the current statutory framework governing the disposition of multifamily housing projects effectively impedes the Government's ability to dispose of properties, protect tenants, and ensure that projects are maintained over time.

(b) MANAGEMENT AND DISPOSITION OF MULTIFAMILY HOUSING PROJECTS.—Section 203 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z-11) is amended to read as follows:

"SEC. 203. MANAGEMENT AND DISPOSITION OF MULTIFAMILY HOUSING PROJECTS.

''(a) GOALS.—The Secretary of Housing and Urban Development (in this section referred to as the 'Secretary') shall manage or dispose of multifamily housing projects that are owned by the Secretary or that are subject to a mortgage held by the Secretary in a manner that—

''(1) is consistent with the National Housing Act and this section;

''(2) will protect the financial interests of the Federal Government; and

''(3) will, in the least costly fashion among reasonable available alternatives, further the goals of—

''(A) preserving housing so that it can remain available to and affordable by low-income persons;

''(B) preserving and revitalizing residential neighborhoods;

''(C) maintaining existing housing stock in a decent, safe, and sanitary condition;

''(D) minimizing the involuntary displacement of tenants;

''(E) maintaining housing for the purpose of providing rental housing, cooperative housing, and homeownership opportunities for low-income persons; and

''(F) minimizing the need to demolish multifamily housing projects.

The Secretary, in determining the manner in which a project is to be managed or disposed of, may balance competing goals relating to individual projects in a manner that will further the purposes of this section.

''(b) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) MULTIFAMILY HOUSING PROJECT.—The term 'multifamily housing project' means any multifamily rental housing project which is, or prior to acquisition by the Secretary was, assisted or insured under the National Housing Act, or was subject to a loan under section 202 of the Housing Act of 1959.

''(2) SUBSIDIZED PROJECT.—The term 'subsidized project' means a multifamily housing project receiving any of the following types of assistance immediately prior to the assignment of the mortgage on such project to, or the acquisition of such mortgage by, the Secretary:

''(A) Below market interest rate mortgage insurance under the proviso of section 221(d)(5) of the National Housing Act.

''(B) Interest reduction payments made in connection with mortgages insured under section 236 of the National Housing Act.

''(C) Direct loans made under section 202 of the Housing Act of 1959.

''(D) Assistance in the form of—

''(i) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

''(ii) housing assistance payments made under section 23 of the United States Housing Act of 1937 (as in effect before January 1, 1975); or

''(iii) housing assistance payments made under section 8 of the United States Housing Act of 1937 (excluding payments made for tenant-based assistance under section 8),

if (except for purposes of section 183(c) of the Housing and Community Development Act of 1987) such assistance payments are made to more than 50 percent of the units in the project.

''(3) FORMERLY SUBSIDIZED PROJECT.—The term 'formerly subsidized project' means a multifamily housing project owned by the Secretary that was a subsidized project immediately prior to its acquisition by the Secretary.

''(4) UNSUBSIDIZED PROJECT.—The term 'unsubsidized project' means a multifamily housing project owned by the Secretary that is not a subsidized project or a formerly subsidized project.

''(c) MANAGEMENT OR DISPOSITION OF PROPERTY.—

''(1) DISPOSITION TO PURCHASERS.—The Secretary is authorized, in carrying out this section, to dispose of a multifamily housing project owned by the Secretary on a negotiated, competitive bid, or other basis, on such terms as the Secretary deems appropriate considering the low-income character of the project and the requirements of subsection (a), to a purchaser determined by the Secretary to be capable of—

''(A) satisfying the conditions of the disposition;

''(B) implementing a sound financial and physical management program that is designed to enable the project to meet anticipated operating and repair expenses to ensure that the project will remain in decent, safe, and sanitary condition;

''(C) responding to the needs of the tenants and working cooperatively with tenant organizations;

''(D) providing adequate organizational staff and financial resources to the project; and

''(E) meeting such other requirements as the Secretary may determine.

''(2) CONTRACTING FOR MANAGEMENT SERVICES.—The Secretary is authorized, in carrying out this section—

''(A) to contract for management services for a multifamily housing project that is owned by the Secretary (or for which the Secretary is mortgagee in possession), on a negotiated, competitive bid, or other basis at a price determined by the Secretary to be reasonable, with a manager the Secretary has determined is capable of—

''(i) implementing a sound financial and physical management program that is designed to enable the project to meet anticipated operating and maintenance expenses to ensure that the project will remain in decent, safe, and sanitary condition;

''(ii) responding to the needs of the tenants and working cooperatively with tenant organizations;

''(iii) providing adequate organizational, staff, and other resources to implement a management program determined by the Secretary; and

''(iv) meeting such other requirements as the Secretary may determine; and

''(B) to require the owner of a multifamily housing project that is subject to a mortgage held by the Secretary to contract for management services for the project in the manner described in subparagraph (A).

''(d) MAINTENANCE OF HOUSING PROJECTS.—

''(1) HOUSING PROJECTS OWNED BY THE SECRETARY.—In the case of multifamily housing projects that are owned by the Secretary (or for which the Secretary is mortgagee in possession), the Secretary shall—

''(A) to the greatest extent possible, maintain all such occupied projects in a decent, safe, and sanitary condition;

''(B) to the greatest extent possible, maintain full occupancy in all such projects; and

''(C) maintain all such projects for purposes of providing rental or cooperative housing.

''(2) HOUSING PROJECTS SUBJECT TO A MORTGAGE HELD BY THE SECRETARY.—In the case of any multifamily housing project that is subject to a mortgage held by the Secretary, the Secretary shall require the owner of the project to carry out the requirements of paragraph (1).

''(e) REQUIRED ASSISTANCE.—In carrying out the goal specified in subsection (a)(3)(A), the Secretary shall take not less than one of the following actions:

''(1) CONTRACT WITH OWNER.—Enter into contracts under section 8 of the United States Housing Act of 1937, to the extent budget authority is available, with owners of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure or after sale by the Secretary.

''(A) SUBSIDIZED OR FORMERLY SUBSIDIZED PROJECTS RECEIVING CERTAIN ASSISTANCE.—In the case of a subsidized or formerly subsidized project referred to in subparagraphs (A) through (C) of subsection (b)(2)—

''(i) the contract shall be sufficient to assist at least all units covered by an assistance contract under any of the authorities referred to in subsection (b)(2)(D) before acquisition, unless the Secretary acts pursuant to the provisions of subparagraph (C);

''(ii) in the case of units requiring project-based rental assistance pursuant to this paragraph that are occupied by families who are not eligible for assistance under section 8, a contract under this subparagraph shall also provide that when a vacancy occurs, the owner shall lease the available unit to a family eligible for assistance under section 8; and

''(iii) the Secretary shall take actions to ensure the availability and affordability, as defined in paragraph (3)(B), for the remaining useful life of the project, as defined by the Secretary, of any unit located in any project referred to in subparagraphs (A) through (C) of subsection (b)(2) that does not otherwise receive project-based assistance under this subparagraph. To carry out this clause, the Secretary may require purchasers to establish use or rent restrictions maintaining affordability, as defined in paragraph (3)(B).

''(B) SUBSIDIZED OR FORMERLY SUBSIDIZED PROJECTS RECEIVING OTHER ASSISTANCE.—In the case of a subsidized or formerly subsidized project referred to in subsection (b)(2)(D)—

''(i) the contract shall be sufficient to assist at least all units in the project that are covered, or were covered immediately before foreclosure on or acquisition of the project by the Secretary, by an assistance contract under any of the authorities referred to in such subsection, unless the Secretary acts pursuant to provisions of subparagraph (C); and

''(ii) in the case of units requiring project-based rental assistance pursuant to this paragraph that are occupied by families who are not eligible for assistance under section 8, a contract under this paragraph shall also provide that when a vacancy occurs, the owner shall lease the available unit to a family eligible for assistance under section 8.

''(C) EXCEPTIONS TO SUBPARAGRAPHS (A) AND (B).—In lieu of providing project-based assistance under subparagraph (A) or (B), the Secretary may require certain units in unsubsidized projects to contain use restrictions providing that such units will be available to and affordable by very low-income

families for the remaining useful life of the project, as defined by the Secretary, if—

''(i) the Secretary matches any reduction in units otherwise required to be assisted with project-based assistance under subparagraph (A) or (B) with at least an equivalent increase in units made affordable to very low-income persons within unsubsidized projects;

''(ii) low-income tenants residing in units otherwise requiring project-based assistance under subparagraph (A) or (B) upon disposition receive section 8 tenant-based assistance; and

''(iii) the units described in clause (i) are located within the same market area.

''(D) CONTRACT REQUIREMENTS FOR UNSUBSIDIZED PROJECTS.—Notwithstanding actions taken pursuant to subparagraph (C), in unsubsidized projects, the contract shall at least be sufficient to provide—

''(i) project-based rental assistance for all units that are covered or were covered immediately before foreclosure or acquisition by an assistance contract under—

''(I) section 8(b)(2) of the United States Housing Act of 1937 (as such section existed before October 1, 1983) (new construction and substantial rehabilitation); section 8(b) of such Act (property disposition); section 8(d)(2) of such Act (project-based certificates); section 8(e)(2) of such Act (moderate rehabilitation); section 23 of such Act (as in effect before January 1, 1975); or section 101 of the Housing and Urban Development Act of 1965 (rent supplements); or

''(II) section 8 of the United States Housing Act of 1937, following conversion from section 101 of the Housing and Urban Development Act of 1965; and

''(ii) tenant-based assistance under section 8 of the United States Housing Act of 1937 for tenants currently residing in units that were covered by an assistance contract under the Loan Management Set-Aside program under section 8(b) of the United States Housing Act of 1937 immediately before foreclosure or acquisition of the project by the Secretary.

''(2) ANNUAL CONTRIBUTION CONTRACTS.—In the case of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure or after sale by the Secretary, enter into annual contribution contracts with public housing agencies to provide tenant-based assistance under section 8 of the United States Housing Act of 1937 to all low-income families who are eligible for such assistance on the date that the project is acquired by the purchaser. The Secretary shall take action under this paragraph only after making a determination that there is available in the area an adequate supply of habitable affordable housing for low-income families. Actions taken pursuant to this paragraph may be taken in connection with not more than 10 percent of the aggregate number of units in subsidized or formerly subsidized projects disposed of by the Secretary annually.

''(3) OTHER ASSISTANCE.—

''(A) IN GENERAL.—In accordance with the authority provided under the National Housing Act, reduce the selling price, apply use or rent restrictions on certain units, or provide other financial assistance to the owners of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure, or after sale by the Secretary, on terms which will ensure that—

''(i) at least those units otherwise required to receive project-based section 8 assistance pursuant to subparagraphs (A), (B), or (D) of paragraph (1) are available to and affordable by low-income persons; and

''(ii) for the remaining useful life of the project, as defined by the Secretary, there shall be in force such use or rent restrictions as the Secretary may prescribe.

''(B) DEFINITION.—A unit shall be considered affordable under this paragraph if—

''(i) for very low-income tenants, the rent for such unit does not exceed 30 percent of 50 percent of the area median income, as determined by the Secretary, with adjustments for family size; and

''(ii) for low-income tenants other than very low-income tenants, the rent for such unit does not exceed 30 percent of 80 percent of the area median income, as determined by the Secretary, with adjustments for family size.

''(C) VERY LOW-INCOME TENANTS.—The Secretary shall provide assistance under section 8 of the United States Housing Act of 1937 to any very low-income tenant currently residing in a unit otherwise required to receive project-based assistance under section 8, pursuant to subparagraph (A), (B), or (D) of paragraph (1), if the rents charged such tenants as a result of actions taken pursuant to this paragraph exceed the amount payable as rent under section 3(a) of the United States Housing Act of 1937.

''(4) TRANSFER FOR USE UNDER OTHER PROGRAMS OF THE SECRETARY.—

''(A) IN GENERAL.—Enter into an agreement providing for the transfer of a multifamily housing project—

''(i) to a public housing agency for use of the project as public housing; or

''(ii) to an owner or another appropriate entity for use of the project under section 202 of the Housing Act of 1959 or under section 811 of the Cranston-Gonzalez National Affordable Housing Act.

''(B) REQUIREMENTS FOR AGREEMENT.—The agreement described in subparagraph (A) shall—

''(i) contain such terms, conditions, and limitations as the Secretary determines appropriate, including requirements to assure use of the project under the public housing, section 202, and section 811 programs; and

''(ii) ensure that no current tenant will be displaced as a result of actions taken under this paragraph.

''(f) OTHER ASSISTANCE.—In addition to the actions authorized by subsection (e), the Secretary may take any of the following actions:

''(1) SHORT-TERM LOANS.—Provide short-term loans to facilitate the sale of multifamily housing projects to nonprofit organizations or to public agencies if—

''(A) authority for such loans is provided in advance in an appropriations Act;

''(B) such loans are for a term of not more than 5 years;

''(C) the Secretary is presented with satisfactory documentation, evidencing a commitment of permanent financing to replace such short-term loan, from a lender who meets standards set forth by the Secretary; and

''(D) the terms of such loans are consistent with prevailing practices in the marketplace or the provision of such loans results in no cost to the Government, as defined in section 502 of the Congressional Budget Act.

''(2) TENANT-BASED ASSISTANCE.—In connection with projects referred to in subsection (e), make available tenant-based assistance under section 8 of the United States Housing Act of 1937 to very low-income families (as defined in section 3(b)(2) of the United States Housing Act of 1937) that do not otherwise qualify for project-based assistance.

''(3) ALTERNATIVE USES.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, and subject to notice to and comment from existing tenants, allow not more than—

''(i) 5 percent of the total number of units in multifamily housing projects that are disposed of by the Secretary during any 1-year period to be made available for uses other than rental or cooperative uses, including low-income homeownership opportunities, or in any particular project, community space, office space for tenant or housing-related service providers or security programs, or small business uses, if such uses benefit the tenants of the project; and

''(ii) 5 percent of the total number of units in multifamily housing projects that are disposed of by the Secretary during any 1-year period to be used in any manner, if the Secretary and the unit of general local government or area-wide governing body determine that such use will further fair housing, community development, or neighborhood revitalization goals.

''(B) DISPLACEMENT PROTECTION.—The Secretary shall make available tenant-based rental assistance under section 8 of the United States Housing Act of 1937 to any tenant displaced as a result of actions taken by the Secretary pursuant to subparagraph (A), and the Secretary shall take such actions as the Secretary determines necessary to ensure the successful use of any tenant-based assistance.

''(g) AUTHORIZATION OF USE OR RENT RESTRICTIONS IN UNSUBSIDIZED PROJECTS.—In carrying out the goals specified in subsection (a), the Secretary may require certain units in unsubsidized projects to contain use or rent restrictions providing that such units will be available to and affordable by very low-income persons for the remaining useful life of the property, as defined by the Secretary.

''(h) CONTRACT REQUIREMENTS.—

''(1) CONTRACT TERM.—

''(A) IN GENERAL.—Contracts for project-based rental assistance under section 8 of the United States Housing Act of 1937 provided pursuant to this section shall be for a term of not more than 15 years; and

''(B) CONTRACT TERM OF LESS THAN 15 YEARS.—Notwithstanding subparagraph (A), to the extent that units receive project-based assistance for a contract term of less than 15 years, the Secretary shall require that rents charged to tenants for such units not exceed the amount payable for rent under section 3(a) of the United States Housing Act of 1937 for a period of at least 15 years.

''(2) CONTRACT RENT.—

''(A) IN GENERAL.—The Secretary shall set contract rents for section 8 project-based rental contracts issued under this section at levels that, in conjunction with other resources available to the purchaser, provide for the necessary costs of rehabilitation of such project and do not exceed the percentage of the existing housing fair market rents for the area (as determined by the Secretary under section 8(c) of the United States Housing Act of 1937) as the Secretary may prescribe.

''(B) UP-FRONT GRANTS AND LOANS.—If such an approach is determined to be more cost-effective, the Secretary may utilize the budget authority provided for project-based section 8 contracts issued under this section to—

''(i) provide project-based section 8 rental assistance; and

''(ii)(I) provide up-front grants for the necessary cost of rehabilitation; or

''(II) pay for any cost to the Government, as defined in section 502 of the Congressional Budget Act, for loans made pursuant to subsection (f)(1).

''(i) DISPOSITION PLAN.—

''(1) IN GENERAL.—Prior to the sale of a multifamily housing project that is owned by the Secretary, the Secretary shall develop a disposition plan for the project that specifies the minimum terms and conditions of the Secretary for disposition of the project, the initial sales price that is acceptable to the Secretary, and the assistance that the Secretary plans to make available to a pro-

spective purchaser in accordance with this section. The initial sales price shall reflect the intended use of the property after sale.

''(2) COMMUNITY AND TENANT INPUT INTO DISPOSITION PLANS AND SALES.—

''(A) IN GENERAL.—In carrying out this section, the Secretary shall develop procedures to obtain appropriate and timely input into disposition plans from officials of the unit of general local government affected, the community in which the project is situated, and the tenants of the project.

''(B) TENANT ORGANIZATIONS.—The Secretary shall develop procedures to facilitate, where feasible and appropriate, the sale of multifamily housing projects to existing tenant organizations with demonstrated capacity or to public or nonprofit entities which represent or are affiliated with existing tenant organizations.

''(C) TECHNICAL ASSISTANCE.—

''(i) USE OF FUNDS.—To carry out the procedures developed under subparagraphs (A) and (B), the Secretary is authorized to provide technical assistance, directly or indirectly, and to use amounts appropriated for technical assistance under the Emergency Low Income Housing Preservation Act of 1987, the Low-Income Housing Preservation and Resident Homeownership Act of 1990, subtitle B of title IV of the Cranston-Gonzalez National Affordable Housing Act, or under this section for the provision of technical assistance under this section.

''(ii) SOURCE OF FUNDS.—Recipients of technical assistance funding under the Emergency Low Income Housing Preservation Act of 1987, the Low-Income Housing Preservation and Resident Homeownership Act of 1990, subtitle B of title IV of the Cranston-Gonzalez National Affordable Housing Act, or under this section shall be permitted to provide technical assistance to the extent of such funding under any of such programs or under this section, notwithstanding the source of funding.

''(j) RIGHT OF FIRST REFUSAL.—

''(1) PROCEDURE.—

''(A) NOTIFICATION BY SECRETARY OF THE ACQUISITION OF TITLE.—Not later than 30 days after acquiring title to a project, the Secretary shall notify the unit of general local government and the State agency or agencies designated by the Governor of the acquisition of such title.

''(B) EXPRESSION OF INTEREST.—Not later than 45 days after receiving notification from the Secretary under subparagraph (A), the unit of general local government or designated State agency may submit to the Secretary a preliminary expression of interest in the project. The Secretary may take such actions as may be necessary to require the unit of general local government or designated State agency to substantiate such interest.

''(C) TIMELY EXPRESSION OF INTEREST.—If the unit of general local government or designated State agency has expressed interest in the project before the expiration of the 45-day period referred to in subparagraph (B), and has substantiated such interest if requested, the Secretary, upon approval of a disposition plan for a project, shall notify the unit of general local government and designated State agency of the terms and conditions of the disposition plan and give the unit of general local government or designated State agency not more than 90 days after the date of such notification to make an offer to purchase the project.

''(D) NO TIMELY EXPRESSION OF INTEREST.—If the unit of general local government or designated State agency does not express interest before the expiration of the 45-day period referred to in subparagraph (B), or does not substantiate an expressed interest if requested, the Secretary, upon approval of a disposition plan, may offer the project for sale to any interested person or entity.

''(2) ACCEPTANCE OF OFFERS.—Where the Secretary has given the unit of general local government or designated State agency 90 days to make an offer to purchase the project, the Secretary shall accept an offer that complies with the terms and conditions of the disposition plan. The Secretary may accept an offer that does not comply with the terms and conditions of the disposition plan if the Secretary determines that the offer will further the goals specified in subsection (a) by actions that include extension of the duration of low-income affordability restrictions or otherwise restructuring the transaction in a manner that enhances the long-term affordability for low-income persons. The Secretary shall, in particular, have discretion to reduce the initial sales price in exchange for the extension of low-income affordability restrictions beyond the period of assistance contemplated by the attachment of assistance pursuant to subsection (e). If the Secretary and the unit of general local government or designated State agency cannot reach agreement within 90 days, the Secretary may offer the project for sale to the general public.

''(3) PURCHASE BY UNIT OF GENERAL LOCAL GOVERNMENT OR DESIGNATED STATE AGENCY.—Notwithstanding any other provision of law, a unit of general local government (including a public housing agency) or designated State agency may purchase a subsidized or formerly subsidized project in accordance with this subsection.

''(4) APPLICABILITY.—This subsection shall apply to projects that are acquired on or after the effective date of this subsection. With respect to projects acquired before such effective date, the Secretary may apply—

''(A) the requirements of paragraphs (2) and (3) of section 203(e) as such paragraphs existed immediately before the effective date of this subsection; or

''(B) the requirements of paragraphs (1) and (2) of this subsection, if the Secretary gives the unit of general local government or designated State agency—

''(i) 45 days to express interest in the project; and

''(ii) if the unit of general local government or designated State agency expresses interest in the project before the expiration of the 45-day period, and substantiates such interest if requested, 90 days from the date of notification of the terms and conditions of the disposition plan to make an offer to purchase the project.

''(k) DISPLACEMENT OF TENANTS AND RELOCATION ASSISTANCE.—

''(1) IN GENERAL.—Whenever tenants will be displaced as a result of the disposition of, or repairs to, a multifamily housing project that is owned by the Secretary (or for which the Secretary is mortgagee in possession), the Secretary shall identify tenants who will be displaced, and shall notify all such tenants of their pending displacement and of any relocation assistance which may be available. In the case of a multifamily housing project that is not owned by the Secretary (and for which the Secretary is not mortgagee in possession), the Secretary shall require the owner of the project to carry out the requirements of this paragraph.

''(2) RIGHTS OF DISPLACED TENANTS.—The Secretary shall assure for any such tenant (who continues to meet applicable qualification standards) the right—

''(A) to return, whenever possible, to a repaired unit;

''(B) to occupy a unit in another multifamily housing project owned by the Secretary;

''(C) to obtain housing assistance under the United States Housing Act of 1937; or

''(D) to receive any other available relocation assistance as the Secretary determines to be appropriate.

''(l) MORTGAGE AND PROJECT SALES.—

''(1) IN GENERAL.—The Secretary may not approve the sale of any loan or mortgage held by the Secretary (including any loan or mortgage owned by the Government National Mortgage Association) on any subsidized project or formerly subsidized project, unless such sale is made as part of a transaction that will ensure that such project will continue to operate at least until the maturity date of such loan or mortgage, in a manner that will provide rental housing on terms at least as advantageous to existing and future tenants as the terms required by the program under which the loan or mortgage was made or insured prior to the assignment of the loan or mortgage on such project to the Secretary.

''(2) SALE OF CERTAIN PROJECTS.—The Secretary may not approve the sale of any subsidized project—

''(A) that is subject to a mortgage held by the Secretary; or

''(B) if the sale transaction involves the provision of any additional subsidy funds by the Secretary or a recasting of the mortgage, unless such sale is made as part of a transaction that will ensure that such project will continue to operate at least until the maturity date of the loan or mortgage, in a manner that will provide rental housing on terms at least as advantageous to existing and future tenants as the terms required by the program under which the loan or mortgage was made or insured prior to the proposed sale of the project.

''(3) MORTGAGE SALES TO STATE AND LOCAL GOVERNMENTS.—Notwithstanding any provision of law that may require competitive sales or bidding, the Secretary may carry out negotiated sales of subsidized or formerly subsidized mortgages held by the Secretary, without the competitive selection of purchasers or intermediaries, to units of general local government or State agencies, or groups of investors that include at least one such unit of general local government or State agency, if the negotiations are conducted with such agencies, except that—

''(A) the terms of any such sale shall include the agreement of the purchasing agency or unit of local government or State agency to act as mortgagee or owner of a beneficial interest in such mortgages, in a manner consistent with maintaining the projects that are subject to such mortgages for occupancy by the general tenant group intended to be served by the applicable mortgage insurance program, including, to the extent the Secretary determines appropriate, authorizing such unit of local government or State agency to enforce the provisions of any regulatory agreement or other program requirements applicable to the related projects; and

''(B) the sales prices for such mortgages shall be, in the determination of the Secretary, the best prices that may be obtained for such mortgages from a unit of general local government or State agency, consistent with the expectation and intention that the projects financed will be retained for use under the applicable mortgage insurance program for the life of the initial mortgage insurance contract.

''(4) SALE OF MORTGAGES COVERING UNSUBSIDIZED PROJECTS.—Notwithstanding any other provision of law, the Secretary may sell mortgages held on unsubsidized projects on such terms and conditions as the Secretary may prescribe.

''(m) REPORT TO CONGRESS.—Not later than June 1 of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance and Urban

Affairs of the House of Representatives, a report describing the status of multifamily housing projects owned by or subject to mortgages held by the Secretary, which report shall include—

''(1) the name, address, and size of each project;

''(2) the nature and date of assignment;

''(3) the status of the mortgage;

''(4) the physical condition of the project;

''(5) an occupancy profile of the project, including the income, family size, and race of current residents as well as the rents paid by such residents;

''(6) the proportion of units in a project that are vacant;

''(7) the date on which the Secretary became mortgagee in possession;

''(8) the date and conditions of any foreclosure sale;

''(9) the date of acquisition by the Secretary;

''(10) the date and conditions of any property disposition sale;

''(11) a description of actions undertaken pursuant to this section, including—

''(A) a comparison of results between actions taken after enactment of the Housing and Community Development Act of 1993 and actions taken in years prior to such enactment;

''(B) a description of any impediments to the disposition or management of multifamily housing projects, together with a recommendation of proposed legislative or regulatory changes designed to ameliorate such impediments;

''(C) a description of actions taken to restructure or commence foreclosure on delinquent multifamily mortgages held by the Department; and

''(D) a description of actions taken to monitor and prevent the default of multifamily housing mortgages held by the Federal Housing Administration;

''(12) a description of any of the functions performed in connection with this section that are contracted out to public or private entities or to States, including—

''(A) the costs associated with such delegation;

''(B) the implications of contracting out or delegating such functions for current Department field or regional personnel, including anticipated personnel or work load reductions;

''(C) necessary oversight required by Department personnel, including anticipated personnel hours devoted to such oversight;

''(D) a description of any authority granted to such public or private entities or States in conjunction with the functions that have been delegated or contracted out or that are not otherwise available for use by Department personnel; and

''(E) the extent to which such public or private entities or States include tenants of multifamily housing projects in the disposition planning for such projects;

''(13) a description of the activities carried out under subsection (j) during the preceding year; and

''(14) a description and assessment of the rules, guidelines, and practices governing the Department's management of multifamily housing projects that are owned by the Secretary (or for which the Secretary is mortgagee in possession) as well as the steps that the Secretary has taken or plans to take to improve the management performance of the Department.''.

(c) EFFECTIVE DATE.—The Secretary shall, by notice published in the Federal Register, which shall take effect upon publication, establish such requirements as may be necessary to implement the amendments made by this section. The notice shall invite public comments, and the Secretary shall issue final regulations based on the initial notice, taking into account any public comments received.

SEC. 405. TERMINATION OF ANNUAL DIRECT GRANT ASSISTANCE

(a) TERMINATION.—Pursuant to section 704(d) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (48 U.S.C. 1681 note), the annual payments under section 702 of the Covenant shall terminate as of September 30, 1993.

(b) REPEAL.—Sections 3 and 4 of the Act of March 24, 1976 (Public Law 94–241; 48 U.S.C. 1681 note), as amended, are repealed, effective October 1, 1993.

TITLE V—SOCIAL SERVICES AND RETIREMENT

SEC. 501. INCREASE IN RETIREMENT AGE UNDER FERS TO 65.

(a) IN GENERAL.—Chapter 84 of title 5, United States Code, is amended by adding at the end the following:

''SUBCHAPTER VIII—SPECIAL RULES FOR CERTAIN POST-1993 NEW EMPLOYEES AND MEMBERS

''§ 8481. Applicability

''(a) This subchapter sets forth special rules in conformance with which this chapter shall be applied with respect to any employee who first becomes an employee subject to this chapter, or who is first elected as a Member, after December 31, 1993.

''(b) Nothing in this subchapter shall be considered to apply with respect to any employee or Member not described in subsection (a) or to have any effect except for the purpose referred to in such subsection.

''§ 8482. Immediate retirement

''Deem section 8412 to be amended as follows:

''(1) Subsection (c) is amended by striking '62' and inserting '65'.

''(2) Subsections (a), (b), (f), and (g) are repealed.

''§ 8483. Deferred retirement

''Deem section 8413 to be amended as follows:

''(1) Subsection (a) is amended by striking '62' and inserting '65'.

''(2) Subsection (b) is repealed.

''§ 8484. References to age 62

''(a) Deem section 8415 to be amended as follows:

''(1) Subsection (f) is repealed.

''(2) Subsection (g)(2)(B) is amended by striking 'is at least 62 years of age and'.

''(b) Deem section 8442 to be amended in subsections (c)(2)(B) and (g)(2)(B) by striking '62' each place it appears and inserting '65'.

''(c) Deem section 8452(b)(1) to be amended by striking 'sixty-second' and inserting 'sixty-fifth'.''.

(b) CHAPTER ANALYSIS.—The analysis for chapter 84 of title 5, United States Code, is amended by adding at the end the following:

''SPECIAL RULES FOR CERTAIN POST-1993 NEW EMPLOYEES AND MEMBERS

''8481. Applicability.
''8482. Immediate retirement.
''8483. Deferred retirement.
''8484. References to age 62.''.

SEC. 502. PROVISION RELATING TO GOVERNMENT CONTRIBUTIONS TO THE THRIFT SAVINGS PLAN.

Section 8432(c)(2)(B) of title 5, United States Code, is amended by adding at the end the following:

''Clause (ii) shall not apply with respect to any employee or Member described in section 8481(a).''.

SEC. 503. DEFERRAL UNTIL AGE 62 OF COST-OF-LIVING ADJUSTMENTS FOR MILITARY RETIREES WHO FIRST ENTERED MILITARY SERVICE ON OR AFTER JANUARY 1, 1994.

Section 1401a(b)(1) of title 10, United States Code, is amended by adding at the end the following new sentence: ''In the case of a member or former member under age 62 (other than a member retired under chapter 61 of this title) who first became a member on or after January 1, 1994, such increase shall not become payable as part of the retired pay of the member or former member until the month in which the member or former member becomes 62 years of age.''.

SEC. 504. CONSOLIDATION OF CERTAIN SOCIAL SERVICES PROGRAMS INTO A SINGLE BLOCK GRANT PROGRAM.

(a) AT-RISK CHILD CARE PROGRAM MERGED INTO PROGRAM OF BLOCK GRANTS TO STATES FOR SOCIAL SERVICES.—

(1) CONSOLIDATION OF SERVICES.—Section 2002(a)(2)(A) of the Social Security Act (42 U.S.C. 1397a(a)(2)(A)) is amended by inserting ''(including services that could have been provided under section 402(i), as in effect immediately before the effective date of section 504 of the Common Cents Deficit Reduction Act of 1993)'' after ''child care services''.

(2) CONSOLIDATION OF FUNDING.—Section 2003(c) of such Act (42 U.S.C. 1397b(c)) is amended—

(A) in paragraph (4), by striking ''and'';

(B) in paragraph (5), by striking ''each fiscal year after fiscal year 1989.'' and inserting ''the fiscal years 1990, 1991, 1992, 1993, and 1994; and''; and

(C) by adding at the end the following:

''(6) $2,976,000,000 for each of the fiscal years 1995, 1996, 1997, and 1998.''.

(b) CERTAIN DISCRETIONARY SOCIAL SERVICES PROGRAMS MERGED INTO PROGRAM OF BLOCK GRANTS TO STATES FOR SOCIAL SERVICES BUT LEFT DISCRETIONARY.—

(1) CONSOLIDATION OF SERVICES.—Section 2002 of such Act (42 U.S.C. 1397a) is amended—

(A) in subsection (a), by adding at the end the following:

''(3) In addition to payments pursuant to paragraph (1), the Secretary may make payments to a State under this title for a fiscal year in an amount equal to its additional allotment for such fiscal year, to be used by such State for services directed at the goals set forth in section 2001, subject to the requirements of this title.

''(4) For purposes of paragraph (3)—

''(A) services which are directed at the goals set forth in section 2001 include services that could have been provided under—

''(i) the Community Services Block Grant Act;

''(ii) the Child Care and Development Block Grant Act of 1990;

''(iii) title III or VII of the Older Americans Act of 1965; or

''(iv) the State Dependent Care Development Grants Act,

as in effect immediately before the effective date of section 504 of the Common Cents Deficit Reduction Act of 1993; and

''(B) expenditures for such services may include expenditures described in paragraph (2)(B).''; and

(B) in each of subsections (b), (c), and (d), by inserting ''or additional allotment'' after ''allotment'' each place such term appears.

(2) CONSOLIDATION OF FUNDING.—Section 2003 of such Act (42 U.S.C. 1397b) is amended by adding at the end the following:

''(d) The additional allotment for any fiscal year to each State shall be determined in the same manner in which the allotment for the fiscal year is determined for the State under the preceding subsections of this section, except that, in making such determination the following amounts shall be used in lieu of the amount specified in subsection (c):

''(1) $2,301,000,000 for the fiscal year 1995;

''(2) $2,359,000,000 for the fiscal year 1996;

''(3) $2,419,000,000 for the fiscal year 1997; and

''(4) $2,478,000,000 for the fiscal year 1998.''.

(c) CONFORMING AMENDMENTS AND REPEALS.—

(1) COMMUNITY SERVICES BLOCK GRANT ACT.—The Community Services Block Grant Act (42 U.S.C. 9901 et seq.) is hereby repealed.

(2) CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT OF 1990.—The Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) is hereby repealed.

(3) OLDER AMERICANS ACT OF 1965.—The Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) is amended by striking titles III and VII.

(4) STATE DEPENDENT CARE DEVELOPMENT GRANTS ACT.—The State Dependent Care Development Grants Act (42 U.S.C. 9871 et seq.) is hereby repealed.

(5) AT-RISK CHILD CARE PROGRAM.—

(A) PROGRAM AUTHORITY.—Section 402 of the Social Security Act (42 U.S.C. 602) is amended—

(i) in subsection (g)(7), by striking ''and subsection (i)''; and

(ii) by striking subsection (i).

(B) FUNDING PROVISIONS.—Section 403 of the Social Security Act (42 U.S.C. 603) is amended by striking subsection (n).

(d) EFFECTIVE DATE.—The amendments and repeals made by this section shall take effect on October 1, 1994.

SEC. 505. AWARDS OF PELL GRANTS TO PRISONERS PROHIBITED.

(a) IN GENERAL.—Section 401(b)(8) the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(8)) is amended to read as follows:

''(8) No basic grant shall be awarded under this subpart to any individual who is incarcerated in any Federal or State penal institution.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to periods of enrollment beginning on or after the date of enactment of this Act.

SEC. 506. ELIMINATION OF EDUCATION PROGRAMS THAT HAVE LARGELY ACHIEVED THEIR PURPOSE.

(a) PUBLIC LIBRARY CONSTRUCTION.—

(1) REPEAL.—Title II of the Library Services and Construction Act (20 U.S.C. 355a et seq.) is repealed.

(2) CONFORMING AMENDMENT.—Section 4(a)(2) of such Act (20 U.S.C. 351b(a)(2)) is repealed.

(b) FOLLOW THROUGH PROGRAM.—The Follow Through Act (42 U.S.C. 9861 et seq.) is repealed.

(c) LAW-RELATED EDUCATION.—Section 1565 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2965) is repealed.

(d) LAW SCHOOL CLINICAL EXPERIENCE PROGRAM.—Part G of title IX of the Higher Education Act of 1965 (20 U.S.C. 1132u et seq.) is repealed.

(e) RESCISSION OF FUNDS.—

(1) LIBRARY CONSTRUCTION.—Of the funds made available under the heading ''Department of Education—Libraries'' in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–112), $17,792,000 is rescinded, to be derived from public library construction.

(2) SCHOOL IMPROVEMENT PROGRAMS.—Of the funds made available under the heading ''Department of Education—School Improvement Programs'' in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–112)—

(A) $8,478,000 is rescinded, to be derived from the follow through program; and

(B) $5,952,000 is rescinded, to be derived from the law-related education program.

(3) LAW SCHOOL CLINICAL EXPERIENCE.—Of the funds made available under the heading ''Department of Education—Higher Education'' in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–112), $14,920,000 is rescinded, to be derived from the law school clinical experience program.

TITLE VI—AGRICULTURE AND HEALTH CARE

SEC. 601. DEPARTMENT OF AGRICULTURE REORGANIZATION.

(a) CLOSURE AND CONSOLIDATION OF OFFICES.—During the period beginning on the date of the enactment of this Act and ending on September 30, 1998, the Secretary of Agriculture shall close or consolidate not less than 1,200 field offices of the agencies of the Department of Agriculture described in subsection (d).

(b) PURPOSE OF CLOSURE AND CONSOLIDATION.—In addition to reducing expenditures of the Department of Agriculture, the closure and consolidation of field offices pursuant to this section is intended to improve services provided to agricultural producers in the United States through the greater use of multipurpose field offices combining the services of more than one of the agencies described in subsection (d).

(c) CORRESPONDING REDUCTIONS AND REORGANIZATION.—As part of the closure and consolidation of field offices under subsection (a), the Secretary of Agriculture shall—

(1) eliminate not less than 7,500 full-time employment positions in the Department of Agriculture; and

(2) reorganize the headquarters corresponding to the agencies described in subsection (d).

(d) FIELD OFFICES DESCRIBED.—The field offices to be closed and consolidated under this section shall be selected from among the field offices of the Agricultural Stabilization and Conservation Service, the Soil Conservation Service, the Farmers Home Administration, and the Federal Crop Insurance Corporation.

(e) RESCISSION OF FUNDS.—Of the funds made available for the Department of Agriculture in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1994 (Pub. L. 103–111), $13,000,000 is rescinded. The Secretary of Agriculture shall allocate such rescission among the appropriate accounts, and shall submit to the Congress a report setting forth such allocation.

SEC. 602. REDUCTION IN TRIPLE BASE FOR DEFICIENCY PAYMENTS FOR BASIC AGRICULTURAL COMMODITIES UNDER AGRICULTURE PROGRAMS.

(a) WHEAT.—Section 107B(c)(1)(C)(ii) of the Agricultural Act of 1949 (7 U.S.C. 1445b-3a(c)(1)(C)(ii)) is amended by striking ''85 percent'' and inserting ''82.5 percent''.

(b) FEED GRAINS.—Section 105B(c)(1)(C)(ii) of the Agricultural Act of 1949 (7 U.S.C. 1444f(c)(1)(C)(ii)) is amended by striking ''85 percent'' and inserting ''82.5 percent''.

(c) UPLAND COTTON.—Section 103B(c)(1)(C)(ii) of the Agricultural Act of 1949 (7 U.S.C. 1444-2(c)(1)(C)(ii)) is amended by striking ''85 percent'' and inserting ''82.5 percent''.

(d) RICE.—Section 101B(c)(1)(C)(ii) of the Agricultural Act of 1949 (7 U.S.C. 1441-2(c)(1)(C)(ii)) is amended by striking ''85 percent'' and inserting ''82.5 percent''.

SEC. 603. IMPOSITION OF 20 PERCENT COINSURANCE ON CLINICAL LABORATORY SERVICES UNDER MEDICARE.

(a) IN GENERAL.—Paragraphs (1)(D) and (2)(D) of section 1833(a) of the Social Security Act (42 U.S.C. 1395l(a)) are each amended—

(1) by striking ''(or 100 percent'' and all that follows through ''the first opinion))''; and

(2) by striking ''100 percent of such negotiated rate'' and inserting ''80 percent of such negotiated rate''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to tests furnished on or after January 1, 1994.

SEC. 604. IMPOSITION OF 20 PERCENT COINSURANCE ON HOME HEALTH SERVICES UNDER MEDICARE.

(a) IN GENERAL.—

(1) PART A.—Section 1813(a) of the Social Security Act (42 U.S.C. 1395e(a)) is amended by adding at the end the following new paragraph:

''(5) The amount payable for a home health service furnished to an individual under this part shall be reduced by a copayment amount equal to 20 percent of the average of all the per visit costs for such service furnished under this title determined under section 1861(v)(1)(L) (as determined by the Secretary on a prospective basis for services furnished during a calendar year).''.

(2) PART B.—Section 1833(a)(2) of such Act (42 U.S.C. 1395l(a)(2)) is amended—

(A) in subparagraph (A), by striking ''to home health services,'' and by striking the comma after ''opinion)'';

(B) in subparagraph (D), by striking ''and'' at the end;

(C) in subparagraph (E), by striking the semicolon at the end and inserting ''; and''; and

(D) by adding at the end the following new subparagraph:

''(F) with respect to any home health service—

''(i) the lesser of —

''(I) the reasonable cost of such service, as determined under section 1861(v), or

''(II) the customary charges with respect to such service,

less the amount a provider may charge as described in clause (ii) of section 1866(a)(2)(A), or

''(ii) if such service is furnished by a public provider of services, or by another provider which demonstrates to the satisfaction of the Secretary that a significant portion of its patients are low-income (and requests that payment be made under this clause), free of charge or at nominal charges to the public, the amount determined in accordance with section 1814(b)(2),

less a copayment amount equal to 20 percent of the average of all per visit costs for such service furnished under this title determined under section 1861(v)(1)(L) (as determined by the Secretary on a prospective basis for services furnished during a calendar year);''.

(3) PROVIDER CHARGES.—Section 1866(a)(2)(A)(i) of such Act (42 U.S.C. 1395cc(a)(2)(A)(i)) is amended—

(A) by striking ''deduction or coinsurance'' and inserting ''deduction, coinsurance, or copayment''; and

(B) by striking ''or (a)(4)'' and inserting ''(a)(4), or (a)(5)''.

(b) COVERAGE OF COST SHARING UNDER THE QUALIFIED MEDICARE BENEFICIARY PROGRAM FOR INDIVIDUALS WITH INCOME BELOW 150 PERCENT OF POVERTY.—Section 1902(a)(10)(E) of such Act (42 U.S.C. 1396a(a)(10)(E)) is amended—

(1) by striking ''and'' at the end of clause (ii), and

(2) by adding at the end the following new clause:

''(iv) for making medical assistance available for the medicare cost-sharing consisting of the coinsurance applicable to home health services under sections 1813(a)(5) and 1833(a)(2)(F) for individuals whose family income does not exceed 150 percent of the official poverty line (referred to in section 1905(p)(2)) for a family of the size involved; and''.

(c) EFFECTIVE DATES.—

(1) MEDICARE.—The amendments made by subsection (a) shall apply to home health services furnished on or after January 1, 1994.

(2) MEDICAID.—The amendments made by subsection (b) shall apply to calendar quarters beginning on or after January 1, 1994, without regard to whether or not regulations to carry out such amendments have been promulgated by such date.

SEC. 605. RELATING MEDICARE PART B PREMIUM TO INCOME FOR CERTAIN HIGH INCOME INDIVIDUALS.

(a) INCREASE IN PREMIUM.—

(1) IN GENERAL.—Section 1839 of the Social Security Act (42 U.S.C. 1395r) is amended by adding at the end the following:

''(g)(1) Notwithstanding the previous subsections of this section, in the case of an individual whose modified adjusted gross income in a taxable year ending with or within a calendar year (as reported by the individual under section 1893(a)) is equal to or exceeds the sum of the threshold amount described in paragraph (4) and $25,000, the amount of the monthly premium for the calendar year shall be increased by an amount such that the total monthly premium (determined without regard to subsection (b)) is equal to 200 percent of the monthly actuarial rate for enrollees age 65 and over as determined under subsection (a)(1) for that calendar year. The preceding sentence shall not apply to any individual whose threshold amount is zero.

''(2) Notwithstanding the previous subsections of this section, in the case of an individual not described in paragraph (1) whose modified adjusted gross income in a taxable year ending with or within a calendar year (as reported by the individual under section 1893(a)) exceeds the threshold amount described in paragraph (4), the amount of the monthly premium for the calendar year shall be increased by an amount which bears the same ratio to the amount of the increase determined under paragraph (1) as such excess bears to $25,000. The preceding sentence shall not apply to any individual whose threshold amount is zero.

''(3) Using information provided by the Secretary of the Treasury under section 6103(l)(14) of the Internal Revenue Code of 1986, the Secretary shall determine the actual modified adjusted gross income of individuals enrolled in this part during a taxable year and adjust the monthly premium applicable to an individual during a calendar year to take into account any overpayments or underpayments in the premium during the previous calendar year resulting from the application of this subsection.

''(4) In this subsection and section 1813(c), the term 'threshold amount' means—

''(A) except as otherwise provided in this paragraph, $70,000,

''(B) $90,000 in the case of an individual who files a joint return under section 6013 of the Internal Revenue Code of 1986, and

''(C) zero in the case of an individual who—

''(i) is married at the close of the taxable year (as determined under section 7703 of the Internal Revenue Code of 1986) but does not file a joint return for such year, and

''(ii) does not live apart from the individual's spouse at all times during the taxable year.''.

(2) CONFORMING AMENDMENT.—Section 1839(f) of such Act (42 U.S.C. 1395r(f)) is amended by striking ''if an individual'' and inserting the following: ''if an individual (other than an individual subject to an increase in the monthly premium under this section pursuant to subsection (g))''.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall apply to the monthly premium under section 1839 of the Social Security Act for months beginning after February 1994 in taxable years beginning after December 31, 1993.

(b) REPORTING REQUIREMENT FOR BENEFICIARIES.—Title XVIII of the Social Security Act is amended by adding at the end the following:

''REPORT TO SECRETARY ON ESTIMATED MODIFIED ADJUSTED GROSS INCOME

''SEC. 1893. (a) IN GENERAL.—

''(1) INDIVIDUALS COVERED THROUGHOUT YEAR.—Not later than November 1 of each year (beginning with 1994), each individual enrolled under part B shall submit to the Secretary (in such form and manner as the Secretary may require, in consultation with the Secretary of the Treasury) an estimate of the individual's modified adjusted gross income anticipated for the taxable year ending with or within the following calendar year, to be used (subject to section 1839(g)(3)) to determine whether the individual is to be subject to an increase in the monthly part B premium under section 1839(g) for such following calendar year.

''(2) SPECIAL RULE FOR FIRST YEAR OF COVERAGE.—For the first year in which an individual is enrolled under part B, the individual shall submit to the Secretary (at such time and in such form and manner as the Secretary may require, in consultation with the Secretary of the Treasury) an estimate of the individual's modified adjusted gross income anticipated for the taxable year ending with December 31 of such year, to be used to determine whether the individual is to be subject to an increase in the monthly part B premium under section 1839(g) for such year.

''(b) SPECIAL RULE FOR 1994.—Not later than 60 days after the date of the enactment of this section, each individual described in subsection (a) shall submit to the Secretary an estimate of the individual's modified adjusted gross income for the taxable year ending December 1993, to be used to determine (subject to section 1839(g)(3)) whether the individual is to be subject to an increase in the monthly part B premium under section 1839(g) during 1994.

''(c) MODIFIED ADJUSTED GROSS INCOME DEFINED.—In subsection (a), the term 'modified adjusted gross income' means, with respect to an individual for a taxable year, the individual's adjusted gross income under the Internal Revenue Code of 1986, determined without regard to sections 931 or 933 of such Code.''.

(c) DISCLOSURE OF CERTAIN TAX INFORMATION BY SECRETARY OF TREASURY.—

(1) IN GENERAL.—Subsection (l) of section 6103 of the Internal Revenue Code of 1986 (relating to confidentiality and disclosure of returns and return information) is amended by adding at the end thereof the following new paragraph:

''(14) DISCLOSURE OF RETURN INFORMATION TO MEANS-TEST MEDICARE.—

''(A) IN GENERAL.—The Secretary shall, upon written request from the Administrator of the Health Care Financing Administration, disclose to the officers and employees of such Administration return information necessary to determine the modified adjusted gross income (as defined in section 1893(c) of the Social Security Act) of any medicare beneficiary (as defined in paragraph (12)(E)), to be used to determine whether the beneficiary is to be subject to an increase in the monthly part B premium under section 1839(g) of such Act.

''(B) RESTRICTION ON USE OF DISCLOSED INFORMATION.—Any officer or employee of the Health Care Financing Administration receiving return information under subparagraph (A) shall use such information only for purposes of, and to the extent necessary in, establishing the modified adjusted gross income (as so defined) of any medicare beneficiary (as so defined).''

(2) CONFORMING AMENDMENTS.—Paragraphs (3)(A) and (4) of section 6103(p) of such Code are each amended by striking ''or (13)'' each place it appears and inserting ''(13), or (14)''.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall apply with respect to information for taxable years beginning after December 31, 1993.

SEC. 606. INCREASE IN MEDICARE HOSPITAL INSURANCE DEDUCTIBLE FOR CERTAIN HIGH-INCOME INDIVIDUALS.

(a) INCREASE IN DEDUCTIBLE.—

(1) IN GENERAL.—Section 1813 of the Social Security Act (42 U.S.C. 1395e) is amended by adding at the end the following new subsection:

''(c)(1)(A) Notwithstanding the previous subsections of this section, in the case of an individual whose modified adjusted gross income in a taxable year ending with or within a calendar year (as reported by the individual under section 1893(a)) exceeds the threshold amount (described in section 1839(g)(4)), the inpatient hospital deductible otherwise applicable with respect to an individual for a spell of illness that begins during such year shall be increased—

''(i) in the case of an individual whose modified adjusted gross income exceeds such threshold amount by less than $5,000, by 33 percent of such deductible; or

''(ii) in the case of any other such individual, by 33 percent of such deductible for each $5,000 by which the individual's modified adjusted gross income exceeds such threshold amount.

''(B) Notwithstanding subparagraph (A), the total inpatient hospital deductible applicable to an individual for a spell of illness may not exceed—

''(i) for 1994, $2,000; and

''(ii) for any succeeding year, the amount described in this subparagraph for the preceding calendar year, changed and adjusted in the same manner as the inpatient hospital deductible is changed and adjusted under subsection (b)(1).

''(2) Using information provided by the Secretary of the Treasury under 6103(l)(14), the Secretary shall determine the actual modified adjusted gross income of individuals enrolled in this part during a taxable year and apply the following rules:

''(A) In the case of an individual subject to an increase in the inpatient hospital deductible under paragraph (1) during a year whose modified adjusted gross income did not exceed the threshold amount (described in section 1839(g)(4)) for such year, the Secretary shall refund to the individual the amount of such increase.

''(B) In the case of an individual to which the inpatient hospital deductible applied for inpatient hospital services furnished in a year and whose actual modified adjusted gross income exceeded the threshold amount (described in section 1839(g)(4)) for such year, if such individual was not subject to an increase in such deductible during the year under paragraph (1)—

''(i) the Secretary shall collect the amount by which the deductible would have been increased if the modified adjusted gross income reported by the individual under section 1893(a) was equal to the individual's actual modified adjusted gross income from the hospital that furnished the inpatient hospital services (either directly or through reductions in payments to the hospital for subsequently furnished services); and

''(ii) the individual shall be liable to the hospital for payment of such amount.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to inpatient hospital services for which a spell of illness (as defined in section 1861(a) of the Social Security Act) begins after February 1994 in taxable years beginning after December 31, 1993.

(b) CONFORMING AMENDMENT TO REPORTING REQUIREMENT FOR BENEFICIARIES.—Section 1893 of such Act, as added by section 605(b), is amended—

(1) in subsection (a), by striking ''part B'' each place it appears in paragraphs (1) and (2) and inserting ''part B or entitled to benefits under part A''; and

(2) by striking ''1839(g)'' each place it appears in subsections (a) and (b) and inserting the following: '' 1839(g) or an increase in the inpatient hospital deductible under section 1813(c)''.

(c) CONFORMING AMENDMENT TO DISCLOSURE REQUIREMENT FOR SECRETARY OF THE TREASURY.—Section 6103(l)(14)(A) of the Internal Revenue Code of 1986, as added by section 605(c), is amended by striking ''1839(g)'' and inserting the following: '' 1839(g) or an increase in the inpatient hospital deductible under section 1813(c)''.

SEC. 607. ESTABLISHMENT OF STANDARD PAYMENT RATES FOR HOME HEALTH SERVICES.

(a) IN GENERAL.—

(1) STANDARD PAYMENT RATES DESCRIBED.—Title XVIII of the Social Security Act is amended by inserting after section 1889 the following new section:

''STANDARD PAYMENT RATES FOR HOME HEALTH SERVICES

''SEC. 1890. (a) IN GENERAL.—Notwithstanding section 1814(b)(1), section 1833(a)(2)(A), or any other provision of this title, the amount of payment made under this title for home health services furnished by a home health agency on or after January 1, 1994, shall equal the adjusted standard per visit payment rate determined under subsection (b) for the category of home health services involved (as defined in subsection (d)(1)) for the fiscal year during which the services are furnished.

''(b) DETERMINATION OF ADJUSTED STANDARD PER VISIT PAYMENT RATES.—

''(1) IN GENERAL.—The adjusted standard per visit payment rate for home health services furnished in a fiscal year is equal to—

''(A) the base per visit rate for the category of home health services involved for the fiscal year determined under paragraph (2), adjusted for area wage differences under paragraph (3); and

''(B) in the case of home health services in the category of services described in subsection (d)(1)(A) that involve the furnishing of non-routine medical supplies directly identifiable as services for an individual patient (but not including durable medical equipment, prosthetic devices, or orthotics and prosthetics), the amount described in subparagraph (A) increased by the medical supply add-on described in paragraph (4).

''(2) BASE PER VISIT RATE.—

''(A) INITIAL RATE.—The base per visit rate for a category of home health services furnished by a home health agency in fiscal year 1994 shall be an amount equal to 93 percent of the mean of the labor-related and nonlabor costs for that category of services utilized for purposes of computing limits under section 1861(v)(1)(L) for cost reporting periods beginning on or after July 1, 1993, and before July 1, 1994, increased by the cost reporting period adjustment factor for January 1994 (as specified in the regulation setting forth such limits).

''(B) SUBSEQUENT YEARS.—The base per visit rate for a category of home health services furnished by a home health agency in a fiscal year beginning on or after October 1, 1994 is the base per visit rate for that category of services for the preceding fiscal year increased by the home health market basket percentage increase (as defined in subsection (d)(2)) for such fiscal year.

''(3) ADJUSTING FOR AREA WAGE LEVELS.—The Secretary shall adjust the base per visit rate determined under paragraph (2) for home health services furnished by a home health agency for a fiscal year by utilizing the area wage index applicable during the fiscal year under section 1886(d)(3)(E) to hospitals located in the geographic area in which the agency is located (determined without regard to whether such hospitals have been reclassified to a new geographic area pursuant to section 1886(d)(8)(B), a decision of the Medicare Geographic Classification Review Board or the Secretary under section 1886(d)(10)).

''(4) MEDICAL SUPPLY ADD-ON DESCRIBED.—The medical supply add-on described in this paragraph is equal to—

''(A) for fiscal year 1994, the estimated national average cost of non-routine medical supplies directly identifiable as services for an individual patient (but not including durable medical equipment, prosthetic devices, or orthotics and prosthetics) associated with a home health visit, as estimated by the Secretary based upon the best data available and updated through fiscal year 1994 by the Secretary's estimate of the increase in the medical equipment and supplies component of the supplies and rental consumer price index for all urban consumers (U.S. city average), from the end of the period from which the data was drawn through fiscal year 1994; and

''(B) for a subsequent fiscal year, the add-on for the preceding fiscal year increased by the Secretary's estimate of the percentage increase in the index referred to in subparagraph (A) for the fiscal year involved.

''(c) COST REPORTING REQUIREMENTS.—

''(1) IN GENERAL.— Not later than January 1, 1994, the Secretary shall implement a system under which a random sample of home health agencies shall submit cost reports. Cost reports submitted under such system shall be used solely for purposes of comparing the costs of home health agencies with the adjusted standard payment rates established under subsection (b).

''(2) SYSTEM DESCRIBED.—The system developed under paragraph (1) shall—

''(A) utilize a different random sample of agencies for each 12-month period,

''(B) include in such random sample 5 percent of all home health agencies, and

''(C) to the greatest extent practicable and consistent with the preceding provisions of this paragraph, avoid requiring a home health agency to submit a cost report pursuant to paragraph (1) more than once in any 5-year period.

''(3) REPORTS OF ADDITIONAL AGENCIES.—Any home health agency that is not required to submit a cost report pursuant to paragraph (1) for a cost reporting period may be required by the Secretary to submit a simplified cost report for such period, in accordance with regulations issued by the Secretary. The Secretary may use such reports solely for the purposes described in such paragraph.

''(d) DEFINITIONS.—For purposes of this section:

''(1) The term 'category of home health services' means any one of the following home health services:

''(A) Skilled nursing services.

''(B) Physical therapy services.

''(C) Occupational therapy services.

''(D) Speech therapy services.

''(E) Medical social services.

''(F) Home health aide services.

''(2) The term 'home health market basket percentage increase' means, with respect to a fiscal year, the percentage by which the cost of the mix of goods and services comprising home health services will exceed the cost of such mix of goods and services for the preceding fiscal year, as estimated by the Secretary before the fiscal year begins.''.

(2) EXCEPTIONS AND ADJUSTMENTS FOR COSTS SIGNIFICANTLY IN EXCESS OF PAYMENTS.—The Secretary of Health and Human Services shall provide by regulation for such exceptions and adjustments to the payment amounts established for home health services under section 1890(a) of the Social Security Act (as added by paragraph (1)) as the Secretary deems appropriate for services for which a home health agency incurs costs that significantly exceed such payment amounts for reasons beyond the agency's control, subject to any limits the Secretary may establish to ensure that such an exception or adjustment does not result in the reimbursement of any costs that the Secretary does not find to be reasonable.

(b) CONFORMING AMENDMENTS.—

(1) AMENDMENTS RELATING TO PART A.—(A) Section 1814(b) of such Act (42 U.S.C. 1395f(b)) is amended in the matter preceding paragraph (1) by striking ''1813 and 1886'' and inserting ''1813, 1886, and 1890''.

(B) Section 1813(a)(5) of such Act, as added by section 604(a)(1), is amended by striking ''the average of all the per visit costs'' and all that follows and inserting ''the payment amount determined for such services under section 1890(a).''.

(2) AMENDMENTS RELATING TO PART B.—(A) Section 1832(a)(2)(F) of such Act, as added by section 604(a)(2), is amended—

(i) by amending clause (i) to read as follows:

''(i) the payment amount determined for such service under section 1890(a), less the amount a provider may charge as described in clause (ii) of section 1866(a)(2)(A);''; and

(ii) in the matter following clause (iii), by striking ''the average of all the per visit costs'' and all that follows and inserting ''the payment amount determined for such services under section 1890(a).''.

(B) Section 1861(v)(l)(L) of such Act (42 U.S.C. 1395x(v)(1)(L)) is amended by adding at the end the following new clause:

''(iv) Clauses (i), (ii), and (iii) shall not apply to any services furnished on or after January 1, 1994.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to services furnished during cost reporting periods beginning on or after January 1, 1994.

SEC. 608. ELIMINATING FEDERAL SUPPORT FOR HONEY.

(a) Section 207(a) of the Agricultural Act of 1949 is amended to read as follows:

''(a) IN GENERAL.—For each of the 1991 through 1995 crops of honey, the price of honey shall be supported through loans, purchases, or other operations, except that for the 1994 and 1995 crops, the price of honey shall be supported through recourse loans.

''(1) For the 1991 through 1993 crop years, the rate of support shall be not less than 53.8 cents per pound.

''(2) For the 1994 and 1995 crop years, the Secretary shall provide recourse loans to producers at such a rate that minimizes costs and forfeitures, except that such rate shall not be less than 44 cents a pound. Section 407 shall not be applicable to honey forfeited to the Commodity Credit Corporation under loans made under this paragraph.

''(3) A producer who fails to repay a loan made under paragraph (2) by the end of the crop year following the crop year for which such loan was made shall be ineligible for a loan under this section for subsequent crop years, except that the Secretary may waive this provision in any case where in which the Secretary determines that the failure to repay the loan was due to hardship conditions or circumstances beyond the control of the producer.''.

(b) Section 207(b) of the Agricultural Act of 1949 is amended by striking ''for a crop'' and inserting ''for the 1991 through 1993 crops''.

(c) Section 207(c) of the Agricultural Act of 1949 is amended by striking ''1998'' and inserting ''1993''.

(d) Section 207(e) of the Agricultural Act of 1949 is amended by—

(1) striking subparagraphs (D) through (G);
(2) inserting ''and'' after the semicolon following subparagraph (B); and
(3) changing the semicolon following subparagraph (C) to a period.
(e) Section 207(j) of the Agricultural Act of 1949 is amended by striking ''1998'' and inserting ''1995''.
(f) Section 405(a) of the Agricultural Act of 1949 is amended by striking in the first sentence ''section 405A'' and inserting ''sections 207 and 405A''.
(g) Section 405A(a) of the Agricultural Act of 1949 is amended by striking all that follows ''1992 crop year,'' and inserting ''and $150,000 in the 1993 crop year.''.
(h) A provision of this section may not affect the liability of any person under any provision of law as in effect before the effective date of the provision.

TITLE VII—ENFORCEMENT

SEC. 701. DEDICATION OF SAVINGS TO DEFICIT REDUCTION.

(a) DIRECT SPENDING.—None of the changes in direct spending and receipts resulting from this Act shall be reflected in estimates under section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985.
(b) DISCRETIONARY SPENDING.—Upon the enactment of this Act, the Director of the Office of Management and Budget shall make downward adjustments in the discretionary spending limits (new budget authority and outlays), as adjusted, set forth in 601(a)(2) of the Congressional Budget Act of 1974 for each of fiscal years 1994 through 1998 as follows:
(1) For fiscal year 1994, reduce new budget authority by $5,477,000,000 and reduce outlays by $2,987,000,000.
(2) For fiscal year 1995, reduce new budget authority by $8,198,000,000 and reduce outlays by $6,967,000,000.
(3) For fiscal year 1996, reduce new budget authority by $9,546,000,000 and reduce outlays by $9,372,000,000.
(4) For fiscal year 1997, reduce new budget authority by $10,376,000,000 and reduce outlays by $11,080,000,000.
(5) For fiscal year 1998, reduce new budget authority by $11,211,000,000 and reduce outlays by $12,113,000,000.
(c) SECTION 602 ALLOCATIONS.—
(1) HOUSE APPROPRIATIONS COMMITTEE.—The allocations in effect under section 602(a)(1) of the Congressional Budget Act of 1974 for fiscal year 1994 for the Committee on Appropriations of the House of Representatives are reduced by $5,477,000,000 in outlays and by $3,056,000,000 in budget authority.
(2) SENATE APPROPRIATIONS COMMITTEE.—The allocations in effect under section 602(a)(2) of the Congressional Budget Act of 1974 for fiscal year 1994 for the Committee on Appropriations of the Senate are reduced by $5,477,000,000 in outlays and by $3,056,000,000 in budget authority.
(3) SUBALLOCATIONS.—Each Committee on Appropriations is authorized and directed to immediately adjust its suballocations among its subcommittees for fiscal year 1994 to reflect the lower allocations provided by subsection (a) in a manner that accurately reflects the changes in law made by this Act and to promptly report to its House of Congress suballocations revised under this subsection.
(4) EFFECT.—The allocations and suballocations as adjusted by this section shall be deemed to be allocations made under section 602(a)(1) and suballocations made under section 602(b)(1) of the Congressional Budget Act of 1974.
(5) SECTION 601.—Section 601(a)(2) of the Congressional Budget Act of 1974 is amended by inserting ''or as adjusted pursuant to section 701(b) of the Common Cents Deficit Reduction Act of 1993'' before the period at the end.

It was decided in the negative ..... { Yeas ..... 213 / Nays 219

¶140.24 [Roll No. 609]

AYES—213

Allard	Goodling	Molinari
Andrews (NJ)	Gordon	Moorhead
Andrews (TX)	Goss	Murphy
Archer	Grams	Nussle
Armey	Grandy	Orton
Bacchus (FL)	Greenwood	Oxley
Bachus (AL)	Gunderson	Packard
Baesler	Hall (TX)	Paxon
Baker (CA)	Hamilton	Payne (VA)
Baker (LA)	Hancock	Penny
Ballenger	Hansen	Peterson (MN)
Barca	Harman	Petri
Barlow	Hastert	Pombo
Barrett (NE)	Hayes	Pomeroy
Barrett (WI)	Hefley	Porter
Bartlett	Herger	Portman
Barton	Hoagland	Poshard
Bateman	Hobson	Pryce (OH)
Bentley	Hoekstra	Quinn
Bereuter	Hoke	Ramstad
Bilirakis	Holden	Ravenel
Bliley	Houghton	Regula
Blute	Huffington	Ridge
Boehner	Hunter	Roberts
Bonilla	Hutchinson	Roemer
Browder	Hyde	Rohrabacher
Bunning	Inglis	Roukema
Burton	Inhofe	Rowland
Buyer	Inslee	Royce
Callahan	Istook	Santorum
Calvert	Johnson (CT)	Saxton
Camp	Johnson (GA)	Schaefer
Canady	Johnson, Sam	Schenk
Cantwell	Kaptur	Schiff
Castle	Kasich	Sensenbrenner
Coble	Kim	Sharp
Collins (GA)	Kingston	Shaw
Condit	Klink	Shays
Cooper	Klug	Shuster
Coppersmith	Knollenberg	Slattery
Cox	Kolbe	Smith (MI)
Crane	Kyl	Smith (NJ)
Crapo	Lambert	Smith (OR)
Cunningham	Lancaster	Smith (TX)
Deal	LaRocco	Snowe
DeLay	Laughlin	Solomon
Dickey	Leach	Spence
Dooley	Lewis (CA)	Stearns
Doolittle	Lewis (FL)	Stenholm
Dornan	Linder	Stump
Dreier	Livingston	Sundquist
Duncan	Long	Swett
Dunn	Mann	Talent
Edwards (TX)	Manzullo	Tanner
Emerson	Margolies-Mezvinsky	Tauzin
Everett	Mazzoli	Taylor (MS)
Ewing	McCandless	Taylor (NC)
Fawell	McCollum	Thomas (CA)
Fields (TX)	McCrery	Thomas (WY)
Fingerhut	McCurdy	Torkildsen
Fish	McHale	Upton
Fowler	McHugh	Vucanovich
Franks (CT)	McInnis	Walker
Franks (NJ)	McKeon	Walsh
Gallegly	McMillan	Weldon
Gallo	Meehan	Wolf
Gekas	Meyers	Young (AK)
Geren	Mica	Young (FL)
Gilchrest	Michel	Zeliff
Gillmor	Miller (FL)	Zimmer
Gingrich	Minge	
Goodlatte		

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Abercrombie	Brown (OH)	de la Garza
Ackerman	Bryant	DeFazio
Andrews (ME)	Byrne	DeLauro
Applegate	Cardin	Dellums
Barcia	Carr	Derrick
Becerra	Chapman	Deutsch
Beilenson	Clay	Diaz-Balart
Berman	Clayton	Dicks
Bevill	Clement	Dingell
Bilbray	Clyburn	Dixon
Bishop	Coleman	Durbin
Blackwell	Collins (IL)	Edwards (CA)
Boehlert	Collins (MI)	Engel
Bonior	Combest	English (AZ)
Borski	Conyers	English (OK)
Boucher	Costello	Eshoo
Brewster	Coyne	Evans
Brooks	Cramer	Farr
Brown (CA)	Danner	Fazio
Brown (FL)	Darden	Fields (LA)
Filner	Maloney	Rush
Flake	Manton	Sabo
Foglietta	Markey	Sanders
Foley	Martinez	Sangmeister
Ford (MI)	Matsui	Sarpalius
Ford (TN)	McCloskey	Sawyer
Frank (MA)	McDade	Schroeder
Frost	McDermott	Schumer
Furse	McKinney	Scott
Gejdenson	McNulty	Serrano
Gephardt	Meek	Shepherd
Gibbons	Menendez	Sisisky
Gilman	Mfume	Skaggs
Glickman	Miller (CA)	Skeen
Gonzalez	Mineta	Skelton
Green	Mink	Slaughter
Gutierrez	Moakley	Smith (IA)
Hamburg	Mollohan	Spratt
Hastings	Montgomery	Stark
Hefner	Moran	Stokes
Hilliard	Morella	Strickland
Hinchey	Murtha	Studds
Hochbrueckner	Myers	Stupak
Horn	Nadler	Swift
Hoyer	Natcher	Synar
Hughes	Neal (MA)	Tejeda
Hutto	Neal (NC)	Thompson
Jacobs	Oberstar	Thornton
Jefferson	Obey	Thurman
Johnson (SD)	Olver	Torres
Johnson, E.B.	Ortiz	Torricelli
Johnston	Owens	Towns
Kanjorski	Pallone	Traficant
Kennedy	Parker	Tucker
Kennelly	Pastor	Unsoeld
Kildee	Payne (NJ)	Valentine
King	Pelosi	Velazquez
Kleczka	Peterson (FL)	Vento
Klein	Pickett	Visclosky
Kopetski	Pickle	Volkmer
Kreidler	Price (NC)	Washington
LaFalce	Quillen	Waters
Lantos	Rahall	Watt
Lazio	Rangel	Waxman
Lehman	Reed	Wheat
Levin	Reynolds	Whitten
Levy	Richardson	Williams
Lewis (GA)	Rogers	Wilson
Lightfoot	Ros-Lehtinen	Wise
Lipinski	Rose	Woolsey
Lloyd	Rostenkowski	Wyden
Lowey	Roth	Wynn
Machtley	Roybal-Allard	Yates

NOT VOTING—7

Clinger	Faleomavaega (AS)	Norton (DC)
de Lugo (VI)	Hall (OH)	Romero-Barcelo (PR)
		Underwood (GU)

So the amendment was not agreed to.
After some further time,

¶140.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. FRANK:

Add the following at the end of the bill:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Government Reform and Savings Act of 1993''.
(b) TABLE OF CONTENTS.—

Sec. 1. Short title and table of contents.
TITLE I—DEPARTMENT OF AGRICULTURE
Subtitle A—Department of Agriculture Reorganization
Sec. 1001. Department of Agriculture reorganization.
Subtitle B—Eliminating Federal Support for Honey
Sec. 1101. Amendments to section 207 of the Agricultural Act of 1949.
Sec. 1102. Amendment to section 405 of the Agricultural Act of 1949.
Sec. 1103. Amendments to section 405A of the Agricultural Act of 1949.
Sec. 1104. Savings provision.
TITLE II—DEPARTMENT OF COMMERCE
Sec. 2001. Polar satellite convergence.

TITLE III—DEPARTMENT OF DEFENSE
Sec. 3001. Use of proceeds from the sale of recyclable materials at military installations.
Sec. 3002. Closure of the Uniformed Services University of the Health Sciences.
Sec. 3003. Streamlining and reorganization of the Corps of Engineers.
TITLE IV—DEPARTMENT OF ENERGY
Subtitle A—Alaska Power Administration Sale Authorization
Sec. 4001. Short title.
Sec. 4002. Sale of Snettisham and Eklutna hydroelectric projects.
Sec. 4003. Assessment of alternative options.
Subtitle B—Federal-Private Cogeneration of Electricity
Sec. 4101. Federal-private cogeneration of electricity.
Subtitle C—Power Marketing Administrations
Sec. 4201. Power Marketing Administrations refinancing study.
Sec. 4202. Bonneville Power Administration refinancing study.
Subtitle D—Termination of Advanced Liquid Metal Reactor Program
Sec. 4301. Termination of advanced liquid metal reactor program.
TITLE V—DEPARTMENT OF HEALTH AND HUMAN SERVICES
Sec. 5001. Study of methods to increase flexibility in contracting for Medicare claims processing.
Sec. 5002. Workers' compensation data exchange pilot projects.
Sec. 5003. Federal clearinghouse on death information.
Sec. 5004. Continuing disability reviews.
TITLE VI—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Sec. 6001. Multifamily property disposition.
Sec. 6002. Section 235 mortgage refinancing.
Sec. 6003. Use of emergency assistance funds for residency in multifamily housing disposition projects.
Sec. 6004. Additional employees to facilitate disposition of FHA inventory properties.
Sec. 6005. HUD streamlining.
TITLE VII—DEPARTMENT OF THE INTERIOR
Sec. 7001. Improvement of Minerals Management Service royalty collection.
Sec. 7002. Phase out of Mineral Institute program.
Sec. 7003. Reorganization study of Bureau of Indian Affairs.
Sec. 7004. Termination of annual direct grant assistance
TITLE VIII—MISCELLANEOUS PROVISIONS
Sec. 8001. Limitation on certain annual pay adjustments.
Sec. 8002. Reduction of Federal full-time equivalent positions.
TITLE IX—DEPARTMENT OF LABOR
Sec. 9001. Deterrence of fraud and abuse in FECA program.
Sec. 9002. Enhancement of reemployment programs for Federal employees disabled in the performance of duty.
Sec. 9003. Wage determinations.
Sec. 9004. Elimination of filing requirements.
TITLE X—DEPARTMENT OF STATE AND UNITED STATES INFORMATION AGENCY
Sec. 10001. Improvement of efficiency of State Department activities.
Sec. 10002. Improvement of efficiency of USIA public diplomacy activities.
TITLE XI—DEPARTMENT OF TRANSPORTATION
Sec. 11001. Reemployment rights for certain merchant seamen.
Sec. 11002. Reform of essential air service program.
Sec. 11003. Airway science program.
Sec. 11004. Collegiate training initiative.
TITLE XII—DEPARTMENT OF VETERANS AFFAIRS
Subtitle A—Administrative Improvements
Sec. 12001. Elimination of hospital and nursing home bed capacity requirements.
Sec. 12002. Elimination of requirement for minimum number of personnel in the Office of Inspector General.
Sec. 12003. Modification of administrative reorganization authority.
Sec. 12004. Elimination of requirement for certain services in the Veterans Health Administration.
Sec. 12005. Modification of physician requirement for certain senior Veterans Health Administration officials.
Sec. 12006. Use of funds recovered from third parties.
Subtitle B—Closure of Certain Facilities
Sec. 12101. Closure of supply depots.
Sec. 12102. Waiver of other provisions.
Subtitle C—Provision of Information From the Medicare and Medicaid Coverage Data Bank to the Department of Veterans Affairs
Sec. 12201. Provision of data bank information to Department of Veterans Affairs.
Subtitle D—Veterans' Appeals Improvements
Sec. 12301. Board of Veterans' Appeals.
Sec. 12302. Decisions by the Board.
Sec. 12303. Technical correction.
Sec. 12304. Hearings.
Sec. 12305. Elimination of requirement for annual income questionnaires.
TITLE XIII—HUMAN RESOURCE MANAGEMENT
Sec. 13001. Federal workforce training.
Sec. 13002. SES annual leave accumulation.
TITLE XIV—REINVENTING SUPPORT SERVICES
Sec. 14001. Short title.
Sec. 14002. Transfer of functions.
Sec. 14003. Government publications to be available throughout the Government.
Sec. 14004. Inventory and furnishing of Government publications.
Sec. 14005. Additional responsibilities of the Public Printer.
Sec. 14006. Additional responsibilities of the Superintendent of Documents.
Sec. 14007. Depository libraries.
Sec. 14008. Definitions.
TITLE XV—STREAMLINING MANAGEMENT CONTROL
Sec. 15001. Authority to increase efficiency in reporting to Congress.
TITLE XVI—FINANCIAL MANAGEMENT
Sec. 16001. Short title.
Sec. 16002. Electronic payments.
Sec. 16003. Franchise funds and innovation funds.
Sec. 16004. Simplification of management reporting process.
Sec. 16005. Annual financial reports.
Sec. 16006. Authorization of appropriations for enhancing debt collection.
Sec. 16007. Contracts for collection services.
Sec. 16008. Notification to agencies of debtors' mailing addresses.
Sec. 16009. Contracts for collection services.
Sec. 16010. Adjusting civil monetary penalties for inflation.
TITLE XVII—RESCISSIONS OF BUDGET AUTHORITY
Sec. 17001. Short title.
Subtitle A—Department of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies
Subtitle B—Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies
Subtitle C—Energy and Water Development
Subtitle D—Foreign Operations, Export Financing, and Related Agencies
Subtitle E—Department of the Interior and Related Agencies
Subtitle F—Departments of Labor, Health and Human Services, Education, and Related Agencies
Subtitle G—Legislative Branch
Subtitle H—Department of Defense-Military
Subtitle I—Department of Transportation and Related Agencies
Subtitle J—Treasury, Postal Service, and General Government
Subtitle K—Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies
TITLE XVIII—ADDITIONAL DEFICIT REDUCTION PROVISIONS
Sec. 18001. Rescission of funds and cancellation of space station.
Sec. 18002. Rescission of funds and reduction of authorization for ballistic missile defense program.
Sec. 18003. Rescission of funds and cancellation of advanced liquid metal reactor program.
Sec. 18004. Reduction of forces in Europe.

TITLE I—DEPARTMENT OF AGRICULTURE

Subtitle A—Department of Agriculture Reorganization

SEC. 1001. DEPARTMENT OF AGRICULTURE REORGANIZATION.

(a) IN GENERAL.—The Secretary of Agriculture shall (1) consolidate field, regional, and national offices within the Department of Agriculture and (2) reduce personnel by not less than 7,500 staff years, so as to achieve a reduction in expenditures by the Department of not less than $1,640,000,000 during the period fiscal years 1995 through 1999.

(b) AUTHORITIES.—In consolidating offices and reducing personnel as required by subsection (a), the Secretary shall take such action on the basis of the powers vested in the Secretary under other laws.

Subtitle B—Eliminating Federal Support for Honey

SEC. 1101. AMENDMENTS TO SECTION 207 OF THE AGRICULTURAL ACT OF 1949.

(a) Section 207(a) of the Agricultural Act of 1949 is amended to read as follows:

''(a) IN GENERAL.—For each of the 1991 through 1995 crops of honey, the price of honey shall be supported through loans, purchases, or other operations, except that for the 1994 and 1995 crops, the price of honey shall be supported through recourse loans.

''(1) For the 1991 through 1993 crop years, the rate of support shall be not less than 53.8 cents per pound.

''(2) For the 1994 and 1995 crop years, the Secretary shall provide recourse loans to producers at such a rate that minimizes costs and forfeitures, except that such rate shall not be less than 44 cents a pound. Section 407 shall not be applicable to honey forfeited to the Commodity Credit Corporation under loans made under this paragraph.

''(3) A producer who fails to repay a loan made under paragraph (2) by the end of the crop year following the crop year for which such loan was made shall be ineligible for a loan under this section for subsequent crop

years, except that the Secretary may waive this provision in any case where in which the Secretary determines that the failure to repay the loan was due to hardship conditions or circumstances beyond the control of the producer.''.

(b) Section 207(b) of the Agricultural Act of 1949 is amended by striking ''for a crop'' and inserting ''for the 1991 through 1993 crops''.

(c) Section 207(c) of the Agricultural Act of 1949 is amended by striking ''1998'' and inserting ''1993''.

(d) Section 207(e) of the Agricultural Act of 1949 is amended by—

(1) striking subparagraphs (D) through (G);

(2) inserting ''and'' after the semicolon following subparagraph (B); and

(3) changing the semicolon following subparagraph (C) to a period.

(e) Section 207(j) of the Agricultural Act of 1949 is amended by striking ''1998'' and inserting ''1995''.

SEC. 1102. AMENDMENT TO SECTION 405 OF THE AGRICULTURAL ACT OF 1949.

Section 405(a) of the Agricultural Act of 1949 is amended by striking in the first sentence ''section 405A'' and inserting ''sections 207 and 405A''.

SEC. 1103. AMENDMENTS TO SECTION 405A OF THE AGRICULTURAL ACT OF 1949.

Section 405A(a) of the Agricultural Act of 1949 is amended by striking all that follows ''1992 crop year,'' and inserting ''and $150,000 in the 1993 crop year.''.

SEC. 1104. SAVINGS PROVISION.

A provision of this subtitle may not affect the liability of any person under any provision of law as in effect before the effective date of the provision.

TITLE II—DEPARTMENT OF COMMERCE

SEC. 2001. POLAR SATELLITE CONVERGENCE.

The Departments of Commerce and Defense and the National Aeronautics and Space Administration shall propose a single operational polar environmental and weather satellite system, which meets national needs. It is the sense of Congress that such a proposed system, contingent on the provision of adequate resources to fully meet the national security interests of the United States, shall be operated as a civil system by the Department of Commerce. A detailed implementation plan shall be submitted to Congress by the Director of the Office of Science and Technology Policy, in consultation with the Departments of Commerce and Defense and the National Aeronautics and Space Administration, by April 30, 1994. The plan shall be designed to result in savings of up to $300 million in budget authority and up to $251 million in outlays between fiscal years 1994 and 1999. The National Aeronautics and Space Administration and the National Oceanic and Atmospheric Administration shall jointly develop a plan to implement a program modelled after the Operational Satellite Improvement Program for the purpose of making incremental enhancements in operational weather satellite systems. The goal of the plan shall be to achieve these enhancements in a cost effective manner by implementing procedures aimed at avoiding duplication of effort, cost overruns, and schedule delays. The Administrators of the National Aeronautics and Space Administration and the National Oceanic and Atmospheric Administration shall submit to Congress no later than April 30, 1994, a report detailing the elements of the plan and outlining savings in budget authority and budget outlays projected through fiscal year 1999.

TITLE III—DEPARTMENT OF DEFENSE

SEC. 3001. USE OF PROCEEDS FROM THE SALE OF RECYCLABLE MATERIALS AT MILITARY INSTALLATIONS.

Section 2577 of title 10, United States Code, is amended by striking out subsections (b) and (c) and inserting in lieu thereof the following:

''(b) Proceeds from the sale of recyclable materials at an installation shall be credited—

''(1) to funds available for operations and maintenance at that installation; and

''(2) at the discretion of the commander of the installation and if a balance remains available after such funds are credited, to the nonappropriated morale and welfare account of the installation to be used for any morale or welfare activity.''.

SEC. 3002. CLOSURE OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

(a) CLOSURE REQUIRED.—Section 2112 of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) by inserting ''and the closure'' after ''The development''; and

(B) by striking out ''subsection (a)'' and inserting in lieu thereof ''subsections (a) and (b)''; and

(2) by striking out subsection (b) and inserting in lieu thereof the following new subsection:

''(b)(1) Not later than September 30, 1998, the Secretary of Defense shall close the University. To achieve the closure of the University by that date, the Secretary shall begin to terminate the operations of the University beginning in fiscal year 1995. On account of the required closure of the University under this subsection, no students may be admitted to begin studies in the University after September 30, 1994.

''(2) Section 2687 of this title and any other provision of law establishing preconditions to the closure of any activity of the Department of Defense shall not apply with regard to the termination of the operations of the University or to the closure of the University pursuant to this subsection.''.

(b) FINAL GRADUATION OF STUDENTS.—Section 2112(a) of such title is amended—

(1) in the second sentence, by striking out '', with the first class graduating not later than September 21, 1982.'' and inserting in lieu thereof '', except that no students may be awarded degrees by the University after September 30, 1998.''; and

(2) by adding at the end the following new sentence: ''On a case-by-case basis, the Secretary of Defense may provide for the continued education of a person who, immediately before the closure of the University under subsection (b), was a student in the University and completed substantially all requirements necessary to graduate from the University.''.

(c) TERMINATION OF UNIVERSITY BOARD OF REGENTS.—Section 2113 of such title is amended by adding at the end the following new subsection:

''(k) The Board shall terminate on September 30, 1998, except that the Secretary of Defense may terminate the Board before that date as part of the termination of the operations of the University under section 2112(b) of this title.''.

(d) PROHIBITION ON RECIPROCAL AGREEMENTS.—Section 2114(e)(1) of such title is amended by adding at the end the following new sentence: ''No agreement may be entered into under this subsection after September 30, 1994, and all such agreements shall terminate not later than September 30, 1998.''.

(e) CONFORMING AMENDMENTS.—(1) Section 178 of such title, relating to the Henry M. Jackson Foundation for the Advancement of Military Medicine, is amended—

(A) in subsection (b), by inserting after ''Uniformed Services University of the Health Sciences,'' the following: ''or after the closure of the University, with the Department of Defense,'';

(B) in subsection (c)(1)(B), by striking out ''the Dean of the Uniformed Services University of the Health Sciences'' and inserting in lieu thereof ''a person designated by the Secretary of Defense''; and

(C) in subsection (g)(1), by inserting after ''Uniformed Services University of the Health Sciences,'' the following: ''or after the closure of the University, the Secretary of Defense''.

(2) Section 466(a)(1)(B) of the Public Health Service Act (42 U.S.C. 286a(a)(1)(B)), relating to the Board of Regents of the National Library of Medicine, is amended by striking out ''the Dean of the Uniformed Services University of the Health Sciences,''.

(f) CLERICAL AMENDMENTS.—(1) The heading of section 2112 of title 10, United States Code, is amended to read to read as follows:

''§2112. Establishment and closure of University''.

(2) The item relating to such section in the table of sections at the beginning of chapter 104 of such title is amended to read as follows:

''2112. Establishment and closure of University.''.

SEC. 3003. STREAMLINING AND REORGANIZATION OF CORPS OF ENGINEERS.

(a) DEVELOPMENT OF PLAN.—The Secretary of the Army shall develop a plan to reorganize the United States Army Corps of Engineers by reorganizing the headquarters offices, reducing the number of division offices, and restructuring the district functions so as to increase the efficiency of the United States Army Corps of Engineers and reduce staff and costs, with the goal of achieving approximately $50 million in net annual savings by fiscal year 1998.

(b) TRANSMITTAL AND APPROVAL OF PLAN.—The Secretary of the Army shall transmit to Congress the plan developed under subsection (a) for approval. The Secretary shall not implement such plan until it is approved by Congress.

TITLE IV—DEPARTMENT OF ENERGY

Subtitle A—Alaska Power Administration Sale Authorization

SEC. 4001. SHORT TITLE.

This subtitle may be cited as the ''Alaska Power Administration Sale Authorization Act''.

SEC. 4002. SALE OF SNETTISHAM AND EKLUTNA HYDROELECTRIC PROJECTS.

(a) The Secretary of Energy may sell the Snettisham Hydroelectric Project (referred to in this subtitle as ''Snettisham'') to the State of Alaska Power Authority (now known as the Alaska Industrial Development and Export Authority, and referred to in this subtitle as the ''Authority''), or its successor, in accordance with the February 10, 1989, Snettisham Purchase Agreement between the Alaska Power Administration of the United States Department of Energy and the Authority.

(b) The Secretary of Energy may sell the Eklutna Hydroelectric Project (referred to in this subtitle as ''Eklutna'') to the Municipality of Anchorage doing business as Municipal Light and Power, the Chugach Electric Association, Inc., and the Matanuska Electric Association, Inc. (referred to in this subtitle as ''Eklutna Purchasers'') in accordance with the August 2, 1989, Eklutna Purchase Agreement between the United States Department of Energy and the Eklutna Purchasers.

(c) The heads of other affected Federal departments and agencies, including the Secretary of the Interior, shall assist the Secretary of Energy in implementing the sales authorized by this Act.

(d) The Secretary of Energy shall deposit sale proceeds in the Treasury of the United States to the credit of miscellaneous receipts.

(e) There are authorized to be appropriated such sums as are necessary to prepare or ac-

quire Eklutna and Snettisham assets for sale and conveyance, such preparations to provide sufficient title to ensure the beneficial use, enjoyment, and occupancy to the purchasers of the assets to be sold.

(f) No later than one year after both of the sales authorized in section 4002 have occurred, as measured by the Transaction Dates stipulated in the Purchase Agreements, the Secretary of Energy shall—

(1) complete the business of, and close out, the Alaska Power Administration; and

(2) prepare and submit to Congress a report documenting the sales.

SEC. 4003. ASSESSMENT OF ALTERNATIVE OPTIONS.

Before taking any action authorized in section 4002, the Secretary shall assess the feasibility of alternative options for maximizing the return to the Treasury from the sale of the Alaska Power Marketing Administration.

Subtitle B—Federal-Private Cogeneration of Electricity

SEC. 4101. FEDERAL-PRIVATE COGENERATION OF ELECTRICITY.

Section 804(2)(B) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(2)(B)) is amended by striking ‘‘, excluding any cogeneration process for other than a federally owned building or buildings or other federally owned facilities.’’.

Subtitle C—Power Marketing Administrations

SEC. 4201. POWER MARKETING ADMINISTRATIONS REFINANCING STUDY.

The Administrators of the Southeastern, Southwestern and Western Area Power Administrations, in consultation with their respective firm power contractors and other interested parties (including, where applicable, the Bureau of Reclamation), shall study refinancing options, including modifications to existing financial and accounting practices that may be required to effectively and efficiently issue and manage revenue bonds. Such refinancing options shall, for each of the power systems they administer, satisfy their respective repayment obligations to the United States Treasury without causing any increase in their respective firm power rates beyond the rates that would otherwise result under rate-setting policies and practices in effect on October 1, 1993. The results of such studies shall be submitted no later than May 1, 1994, to the Speaker of the House of Representatives and the President of the Senate. Such studies shall be made within the limits of existing funding, or, if necessary, with funds contributed by firm power contractors.

SEC. 4202. BONNEVILLE POWER ADMINISTRATION REFINANCING STUDY.

The Administrator of the Bonneville Power Administration, in consultation with his customers and constituents, shall study options, including an open market buyout, a Treasury buyout, or any other reasonable alternative that would lead to a permanent resolution of the repayment reform initiative directed at Bonneville’s appropriation investment repayment obligation. Such refinancing options shall satisfy the outstanding appropriated investment repayment obligation, without increasing rates beyond the rates that would otherwise result under rate-setting policies and practices in effect on October 1, 1993. The result of this study shall be submitted to the Speaker of the House of Representatives and the President of the Senate no later than March 1, 1994.

Subtitle D—Termination of Advanced Liquid Metal Reactor Program

SEC. 4301. TERMINATION OF ADVANCED LIQUID METAL REACTOR PROGRAM.

(a) IN GENERAL.—No amount of funds provided for any fiscal year may be obligated by the Secretary of Energy after the date of the enactment of this Act for the civilian portion of the advanced liquid metal reactor program, including—

(1) the program’s promotion of the use of such reactors for the disposal of high-level radioactive waste; and

(2) Department of Energy support for regulatory applications to the Nuclear Regulatory Commission for design certification for advanced liquid metal reactors or related licensed facilities.

(b) PROHIBITION OF OTHER USES.—The amount of funds available on the date of the enactment of this Act for obligation for the program described in subsection (a) shall not be available for obligation by the Secretary of Energy after such date for any other purpose.

(c) EXCEPTION.—Subsections (a) and (b) shall not apply to obligations required to be incurred in terminating the program described in subsection (a).

TITLE V—DEPARTMENT OF HEALTH AND HUMAN SERVICES

SEC. 5001. STUDY OF METHODS TO INCREASE FLEXIBILITY IN CONTRACTING FOR MEDICARE CLAIMS PROCESSING.

(a) STUDY.—The Secretary of Health and Human Services shall conduct a study of methods to increase flexibility in contracting for claims processing under the medicare program and to otherwise simplify the administration of program, and shall include in the study an analysis of the feasibility and desirability of carrying out the following changes to the program:

(1) Permitting entities other than insurance companies to serve as carriers under part B of the program.

(2) Eliminating the requirement that fiscal intermediaries under part A of the program be nominated by a group or association of providers of services under such part.

(3) Increasing the Secretary’s flexibility in assigning particular functions to fiscal intermediaries and carriers.

(4) Expanding the circumstances and standards under which the Secretary may terminate a contract with a fiscal intermediary or a carrier.

(5) Permitting the Secretary to require that a fiscal intermediary or a carrier meet data matching requirements for purposes of identifying situations in which medicare is a secondary payer.

(6) Eliminating the requirements that the Secretary make an additional payment to fiscal intermediaries and carriers for administrative costs.

(7) Eliminating the requirement that the Secretary enter into an agreement with a separate carrier for purposes of administering part B with respect to individuals entitled to benefits as qualified railroad retirement beneficiaries.

(b) REPORT.—Not later than April 30, 1994, the Secretary shall submit a report to the Committees on Energy and Commerce and Ways and Means of the House of Representatives and the Committee on Finance of the Senate on the study conducted under subsection (a), together with any recommendations of the Secretary for statutory revisions to increase flexibility and reduce costs in the administration of the medicare program.

SEC. 5002. WORKERS’ COMPENSATION DATA EXCHANGE PILOT PROJECTS.

(a) IN GENERAL.—The Secretary is authorized to conduct pilot projects with not more than three States for the purpose of studying various means of obtaining on a timely and accurate basis such information relating to benefits paid on account of total or partial disability under the States’ workers’ compensation plan as the Secretary may require for the purpose of carrying out section 224 of the Social Security Act.

(b) REIMBURSEMENT OF STATE COSTS.—A State that participates in a project conducted pursuant to subsection (a) may be paid by the Secretary, from amounts available pursuant to subsection (e), the reasonable costs of such participation.

(c) EVALUATION.—The Secretary shall evaluate each project conducted pursuant to subsection (a) and shall apply the findings, as appropriate, to agreements negotiated pursuant to subsection (h)(2) of such section 224.

(d) DEADLINE FOR COMMENCEMENT OF PROJECTS.—No pilot project authorized by subsection (a) may be commenced after the expiration of the 5-year period beginning on the date of enactment of this section.

(e) FUNDING.—Expenditures for pilot projects conducted pursuant to subsection (a) may be made from the Federal Disability Insurance Trust Fund and the Old-Age and Survivors Insurance Trust Fund, as determined appropriate by the Secretary.

(f) EFFECTIVE DATE.—This section shall be effective upon enactment.

SEC. 5003. FEDERAL CLEARINGHOUSE ON DEATH INFORMATION.

(a) CLEARINGHOUSE DESIGNATION.—The heading for section 205(r) of the Social Security Act is amended to read as follows: ‘‘Clearinghouse on Death Information’’.

(b) ACQUISITION OF DISCLOSABLE DEATH INFORMATION FROM STATES.—

(1) Section 205(r)(1)(A) of the Social Security Act is amended by striking ‘‘to furnish the Secretary periodically with’’ and inserting ‘‘to furnish periodically to the Secretary, for use in carrying out subparagraph (B) and paragraphs (3) and (4),’’.

(2)(A) Notwithstanding clause (ii) of section 6103(d)(4)(B) of the Internal Revenue Code of 1986 (as added by section 13444(a) of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66)), in order for a contract requiring a State to furnish the Secretary of Health and Human Services information concerning individuals with respect to whom death certificates (or equivalent documents maintained by the State or any subdivision thereof) have been officially filed with it to meet the requirements of such section 6103(d)(4)(B), such contract shall authorize the Secretary to use such information and to redisclose such information to any Federal agency or any agency of a State or political subdivision in accordance with section 205(r) of the Social Security Act.

(B) The provisions of subparagraph (A) of this paragraph and, notwithstanding subparagraph (C) of section 6103(d)(4) of the Internal Revenue Code of 1986 (as added by section 13444(a) of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66)), the provisions of subparagraphs (A) and (B) of such section 6103(d)(4) shall apply to all States, regardless of whether they were, on July 1, 1993, pursuant to a contract, furnishing the Secretary of Health and Human Services information concerning individuals with respect to whom death certificates (or equivalent documents maintained by the State or any subdivision thereof) have been officially filed with it.

(C) Subparagraphs (A) and (B) of this paragraph shall take effect at the same time as the amendment made by section 13444(a) of the Omnibus Budget Reconciliation Act of 1993 takes effect.

(D) For the purpose of applying the special rule contained in section 13444(b)(2) of the Omnibus Budget Reconciliation Act of 1993, the reference in such section to section 6103(d)(4)(B) of the Internal Revenue Code of 1986 shall be deemed to include a reference to subparagraph (A) of this paragraph.

(c) PAYMENT TO STATES FOR DEATH INFORMATION.—Section 205(r)(2) of the Social Security Act is amended—

(1) by striking ''the reasonable costs'' and inserting ''a reasonable amount''; and

(2) by striking ''transcribing and transmitting'' and inserting ''furnishing''.

(d) FEE FOR CLEARINGHOUSE INFORMATION.—

(1) Section 205(r)(3) of the Social Security Act is amended by striking out ''if'' and all that follows, and inserting '', provided that such agency agrees to pay the fees set by the Secretary pursuant to paragraph (8).''.

(2) Section 205(r)(4) of the Social Security Act is amended—

(A) by inserting ''and political subdivisions'' after ''States'' the first place such term appears;

(B) by striking ''the States'' and inserting ''any State, political subdivision, or combination thereof''; and

(C) by striking ''if'' and all that follows and inserting ''provided such States and political subdivisions agree to pay the fees set by the Secretary pursuant to paragraph (8).''.

(3) Section 205(r) of the Social Security Act is amended by adding at the end a new paragraph as follows: ''(8) The Secretary shall establish fees for the disclosure of information pursuant to this subsection. Such fees shall be in amounts sufficient to cover all costs (including indirect costs) associated with the Secretary's responsibilities under this subsection. Fees collected pursuant to this paragraph shall remain available, without fiscal year limitation, to the Secretary to cover the administrative costs of carrying out this subsection.''.

(e) TECHNICAL ASSISTANCE.—Section 205(r) of the Social Security Act is amended by adding at the end (after the paragraph added by subsection (d)(3)) the following new paragraph:

''(9) The Secretary may provide to any Federal or State agency that provides Federally funded benefits, upon the request of such agency, technical assistance on the effective collection, dissemination, and use of death information available under this subsection for the purpose of ensuring that such benefits are not erroneously paid to deceased individuals.''.

(f) TECHNICAL AMENDMENT.—Section 205(r) of the Social Security Act is amended by adding at the end (after the paragraph added by subsection (e)) the following new paragraph:

''(10) For purposes of this subsection, the term 'Federally funded benefit' means any payment funded in whole or in part by the Federal Government.''.

(g) EFFECTIVE DATE.—Except as otherwise provided, the amendments made by this section shall take effect upon their enactment.

SEC. 5004. CONTINUING DISABILITY REVIEWS.

Section 201(g)(1)(A) of the Social Security Act is amended by adding at the end of the paragraph the following sentence: ''From funds provided pursuant to this subparagraph for the following fiscal years, not less than the following amounts shall be available only for conducting continuing disability reviews and related workloads: for fiscal year 1994, $46 million; for fiscal year 1995, $47,200,000; for fiscal year 1996, $48,500,000; for fiscal year 1997, $49,800,000; for fiscal year 1998, $51,100,000; and for fiscal year 1999, $52,500,000.''.

TITLE VI—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SEC. 6001. MULTIFAMILY PROPERTY DISPOSITION.

(a) FINDINGS.—The Congress finds that—

(1) the portfolio of multifamily housing project mortgages insured by the FHA is severely troubled and at risk of default, requiring the Secretary to increase loss reserves from $5,500,000,000 in 1991 to $11,900,000,000 in 1992 to cover estimated future losses;

(2) the inventory of multifamily housing projects owned by the Secretary has more than tripled since 1989, and, by the end of 1993, may exceed 75,000 units;

(3) the cost to the Federal Government of owning and maintaining multifamily housing projects escalated to approximately $250,000,000 in fiscal year 1992;

(4) the inventory of multifamily housing projects subject to mortgages held by the Secretary has increased dramatically, to more than 2,400 mortgages, and approximately half of these mortgages, with over 230,000 units, are delinquent;

(5) the inventory of insured and formerly insured multifamily housing projects is rapidly deteriorating, endangering tenants and neighborhoods;

(6) over 5 million families today have a critical need for housing that is affordable and habitable; and

(7) the current statutory framework governing the disposition of multifamily housing projects effectively impedes the Government's ability to dispose of properties, protect tenants, and ensure that projects are maintained over time.

(b) MANAGEMENT AND DISPOSITION OF MULTIFAMILY HOUSING PROJECTS.—Section 203 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z–11) is amended to read as follows:

''SEC. 203. MANAGEMENT AND DISPOSITION OF MULTIFAMILY HOUSING PROJECTS.

''(a) GOALS.—The Secretary of Housing and Urban Development shall manage or dispose of multifamily housing projects that are owned by the Secretary or that are subject to a mortgage held by the Secretary in a manner that—

''(1) is consistent with the National Housing Act and this section;

''(2) will protect the financial interests of the Federal Government; and

''(3) will, in the least costly fashion among reasonable available alternatives, further the goals of—

''(A) preserving housing so that it can remain available to and affordable by low-income persons;

''(B) preserving and revitalizing residential neighborhoods;

''(C) maintaining existing housing stock in a decent, safe, and sanitary condition;

''(D) minimizing the involuntary displacement of tenants;

''(E) maintaining housing for the purpose of providing rental housing, cooperative housing, and homeownership opportunities for low-income persons; and

''(F) minimizing the need to demolish multifamily housing projects.

The Secretary, in determining the manner in which a project is to be managed or disposed of, may balance competing goals relating to individual projects in a manner that will further the purposes of this section.

''(b) DEFINITIONS.—For purposes of this section:

''(1) MULTIFAMILY HOUSING PROJECT.—The term 'multifamily housing project' means any multifamily rental housing project which is, or prior to acquisition by the Secretary was, assisted or insured under the National Housing Act, or was subject to a loan under section 202 of the Housing Act of 1959.

''(2) SUBSIDIZED PROJECT.—The term 'subsidized project' means a multifamily housing project that, immediately prior to the assignment of the mortgage on such project to, or the acquisition of such mortgage by, the Secretary, was receiving any of the following types of assistance:

''(A) Below market interest rate mortgage insurance under the proviso of section 221(d)(5) of the National Housing Act.

''(B) Interest reduction payments made in connection with mortgages insured under section 236 of the National Housing Act.

''(C) Direct loans made under section 202 of the Housing Act of 1959.

''(D) Assistance in the form of—

''(i) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965,

''(ii) additional assistance payments under section 236(f)(2) of the National Housing Act,

''(iii) housing assistance payments made under section 23 of the United States Housing Act of 1937 (as in effect before January 1, 1975), or

''(iv) housing assistance payments made under section 8 of the United States Housing Act of 1937 (excluding payments made for tenant-based assistance under section 8),

if (except for purposes of section 183(c) of the Housing and Community Development Act of 1987) such assistance payments are made to more than 50 percent of the units in the project.

''(3) FORMERLY SUBSIDIZED PROJECT.—The term 'formerly subsidized project' means a multifamily housing project owned by the Secretary that was a subsidized project immediately prior to its acquisition by the Secretary.

''(4) UNSUBSIDIZED PROJECT.—The term 'unsubsidized project' means a multifamily housing project owned by the Secretary that is not a subsidized project or a formerly subsidized project.

''(5) AFFORDABLE.—A unit shall be considered affordable if—

''(A) for units occupied—

''(i) by very low-income families, the rent does not exceed 30 percent of 50 percent of the area median income, as determined by the Secretary, with adjustments for smaller and larger families, except that the Secretary may establish the rent based on an amount higher or lower than 50 percent of the median for the area on the basis of the Secretary's findings that such variation is necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes; and

''(ii) by low-income families other than very low-income families, the rent does not exceed 30 percent of 80 percent of the area median income, as determined by the Secretary, except that the Secretary may establish the rent based on an amount higher or lower than 80 percent of the median for the area on the basis of the Secretary's findings that such variation is necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes; or

''(B) the unit, or the family residing in the unit, is receiving assistance under section 8 of the United States Housing Act of 1937.

''(6) LOW-INCOME FAMILIES AND VERY LOW-INCOME FAMILIES.—The terms 'low-income families' and 'very low-income families' shall have the meanings given the terms in section 3(b) of the United States Housing Act of 1937.

''(7) PREEXISTING TENANT.—The term 'preexisting tenant' means, with respect to a multifamily housing project, a family that—

''(A) resides in a unit in the project; and

''(B) immediately before foreclosure or acquisition of the project by the Secretary, was residing in a unit in the project.

''(8) MARKET AREA.—The term 'market area' means a market area determined by the Secretary for purposes of establishing fair market rentals under section 8(c) of the United States Housing Act of 1937.

''(9) SECRETARY.—The term 'Secretary' means the Secretary of Housing and Urban Development.

''(c) MANAGEMENT OR DISPOSITION OF PROPERTY.—

''(1) DISPOSITION TO PURCHASERS.—The Secretary may, in carrying out this section, dispose of a multifamily housing project owned by the Secretary on a negotiated, competitive bid, or other basis, on such terms as the

Secretary deems appropriate considering the low-income character of the project and the market area in which the project is located and the requirements of subsection (a), to a purchaser determined by the Secretary to be capable of—

''(A) satisfying the conditions of the disposition;

''(B) implementing a sound financial and physical management program that is designed to enable the project to meet anticipated operating and repair expenses to ensure that the project will remain in decent, safe, and sanitary condition;

''(C) responding to the needs of the tenants and working cooperatively with tenant organizations;

''(D) providing adequate organizational, staff, and financial resources to the project; and

''(E) meeting such other requirements as the Secretary may determine.

''(2) CONTRACTING FOR MANAGEMENT SERVICES.—The Secretary may, in carrying out this section—

''(A) contract for management services for a multifamily housing project that is owned by the Secretary (or for which the Secretary is mortgagee in possession), on a negotiated, competitive bid, or other basis at a price determined by the Secretary to be reasonable, with a manager the Secretary has determined is capable of—

''(i) implementing a sound financial and physical management program that is designed to enable the project to meet anticipated operating and maintenance expenses to ensure that the project will remain in decent, safe, and sanitary condition;

''(ii) responding to the needs of the tenants and working cooperatively with tenant organizations;

''(iii) providing adequate organizational, staff, and other resources to implement a management program determined by the Secretary; and

''(iv) meeting such other requirements as the Secretary may determine;

''(B) require the owner of a multifamily housing project that is subject to a mortgage held by the Secretary to contract for management services for the project in the manner described in subparagraph (A); and

''(C) contract for management of such properties with nonprofit organizations and public agencies, including public housing authorities.

''(d) MAINTENANCE OF HOUSING PROJECTS.—

''(1) HOUSING PROJECTS OWNED BY THE SECRETARY.—In the case of multifamily housing projects that are owned by the Secretary (or for which the Secretary is mortgagee in possession), the Secretary shall—

''(A) to the greatest extent possible, maintain all such occupied projects in a decent, safe, and sanitary condition;

''(B) to the greatest extent possible, maintain full occupancy in all such projects; and

''(C) maintain all such projects for purposes of providing rental or cooperative housing.

''(2) HOUSING PROJECTS SUBJECT TO A MORTGAGE HELD BY SECRETARY.—In the case of any multifamily housing project that is subject to a mortgage held by the Secretary, the Secretary shall require the owner of the project to carry out the requirements of paragraph (1).

''(3) HOUSING STANDARDS.—In disposing of any multifamily housing project under this section, the Secretary shall enter into an agreement with the purchaser under which the purchaser agrees that the project will be rehabilitated so that it is in compliance with, and will be maintained in compliance with, any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of the housing and any such standards established by the Secretary.

''(e) REQUIRED ASSISTANCE.—In disposing of any multifamily housing property under this section, the Secretary shall take, separately or in combination, one or more of the following actions:

''(1) CONTRACT WITH OWNER FOR PROJECT-BASED ASSISTANCE.—In the case of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure or after sale by the Secretary, the Secretary may enter into contracts under section 8 of the United States Housing Act of 1937 (to the extent budget authority is available) with owners of the projects, subject to the following requirements:

''(A) SUBSIDIZED OR FORMERLY SUBSIDIZED PROJECTS RECEIVING MORTGAGE-RELATED ASSISTANCE.—In the case of a subsidized or formerly subsidized project referred to in subparagraphs (A) through (C) of subsection (b)(2)—

''(i) the contract shall be sufficient to assist at least all units covered by an assistance contract under any of the authorities referred to in subsection (b)(2)(D) before acquisition, unless the Secretary acts pursuant to the provisions of subparagraph (C);

''(ii) the contract shall provide that, when a vacancy occurs in any unit in the project requiring project-based rental assistance pursuant to this subparagraph that is occupied by a family who is not eligible for assistance under such section 8, the owner shall lease the available unit to a family eligible for assistance under such section 8; and

''(iii) the Secretary shall take actions to ensure that any unit in any such project that does not otherwise receive project-based assistance under this subparagraph remains available and affordable for the remaining useful life of the project, as defined by the Secretary; to carry out this clause, the Secretary may require purchasers to establish use or rent restrictions maintaining the affordability of such units.

''(B) SUBSIDIZED OR FORMERLY SUBSIDIZED PROJECTS RECEIVING RENTAL ASSISTANCE.—In the case of a subsidized or formerly subsidized project referred to in subsection (b)(2)(D) that is not subject to subparagraph (A)—

''(i) the contract shall be sufficient to assist at least all units in the project that are covered, or were covered immediately before foreclosure on or acquisition of the project by the Secretary, by an assistance contract under any of the provisions referred to in such subsection, unless the Secretary acts pursuant to provisions of subparagraph (C); and

''(ii) the contract shall provide that, when a vacancy occurs in any unit in the project requiring project-based rental assistance pursuant to this subparagraph that is occupied by a family who is not eligible for assistance under such section 8, the owner shall lease the available unit to a family eligible for assistance under such section 8.

''(C) EXCEPTIONS.—In lieu of providing project-based assistance under subparagraph (A)(i) or (B)(i) for a project, the Secretary may require certain units in unsubsidized projects to contain use restrictions providing that such units will be available to and affordable by very low-income families for the remaining useful life of the project, as defined by the Secretary, if—

''(i) the Secretary provides an increase in project-based assistance for very low-income persons for units within unsubsidized projects located within the same market area as the project otherwise required to be assisted with project-based assistance under subparagraph (A) or (B) that is at least equivalent to the units otherwise required to be so assisted; and

''(ii) upon disposition of the project, low-income families residing in units otherwise required to be assisted with project-based assistance under subparagraph (A) or (B) receive tenant-based assistance under such section 8.

''(D) UNSUBSIDIZED PROJECTS.—Notwithstanding actions taken pursuant to subparagraph (C), in the case of unsubsidized projects, the contract shall be sufficient to provide—

''(i) project-based rental assistance for all units that are covered, or were covered immediately before foreclosure or acquisition, by an assistance contract under—

''(I) the new construction and substantial rehabilitation program under section 8(b)(2) of the United States Housing Act of 1937 (as in effect before October 1, 1983);

''(II) the property disposition program under section 8(b) of such Act;

''(III) the project-based certificate program under section 8 of such Act;

''(IV) the moderate rehabilitation program under section 8(e)(2) of such Act;

''(V) section 23 of such Act (as in effect before January 1, 1975);

''(VI) the rent supplement program under section 101 of the Housing and Urban Development Act of 1965; or

''(VII) section 8 of the United States Housing Act of 1937, following conversion from assistance under section 101 of the Housing and Urban Development Act of 1965; and

''(ii) tenant-based assistance under section 8 of the United States Housing Act of 1937 for families that are preexisting tenants of the project in units that, immediately before foreclosure or acquisition of the project by the Secretary, were covered by an assistance contract under the loan management set-aside program under section 8(b) of the United States Housing Act of 1937 at such time.

''(2) ANNUAL CONTRIBUTION CONTRACTS FOR TENANT-BASED ASSISTANCE.—In the case of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure or after sale by the Secretary, the Secretary may enter into annual contribution contracts with public housing agencies to provide tenant-based assistance under section 8 of the United States Housing Act of 1937 on behalf of all low-income families who, on the date that the project is acquired by the purchaser, reside in the project and are eligible for such assistance, subject to the following requirements:

''(A) REQUIREMENT OF SUFFICIENT AFFORDABLE HOUSING IN AREA.—The Secretary may not take action under this paragraph unless the Secretary determines that there is available in the area an adequate supply of habitable, affordable housing for very low-income families and other low-income families.

''(B) LIMITATION FOR SUBSIDIZED AND FORMERLY SUBSIDIZED PROJECTS.—The Secretary may not take actions under this paragraph in connection with units in subsidized or formerly subsidized projects for more than 10 percent of the aggregate number of units in such projects disposed of by the Secretary annually.

''(C) PROVISION OF PROJECT-BASED ASSISTANCE UNDER CHANGED CIRCUMSTANCES.—The Secretary shall, to the extent such amounts are available, provide project-based assistance under section 8 of the United States Housing Act of 1937 for any units in a project for which the Secretary has provided tenant-based assistance under this paragraph if, and only to the extent that, the owner demonstrates to the satisfaction of the Secretary within 24 months after the date of acquisition by the owner that—

''(i) the provision of such project-based assistance (I) is necessary to maintain the financial viability of the project because of changes occurring after such acquisition that are beyond the control of the owner,

and (II) may reasonably be expected to maintain such financial viability; or

''(ii) sufficient habitable, affordable housing for very low-income families and other low-income families is not available in the market area in which the project is located.

Assistance provided pursuant to this subparagraph shall have a term of not more than 5 years.

''(3) OTHER ASSISTANCE.—

''(A) IN GENERAL.—In accordance with the authority provided under the National Housing Act, the Secretary may reduce the selling price, apply use or rent restrictions on certain units, or provide other financial assistance to the owners of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure, or after sale by the Secretary, on terms that ensure that—

''(i) at least the units in the project otherwise required to receive project-based assistance pursuant to subparagraphs (A), (B), or (D) of paragraph (1) are available to and affordable by low-income persons; and

''(ii) for the remaining useful life of the project, as defined by the Secretary, there shall be in force such use or rent restrictions as the Secretary may prescribe.

''(B) VERY LOW-INCOME TENANTS.—If, as a result of actions taken pursuant to this paragraph, the rents charged to any very low-income families residing in the project who are otherwise required (pursuant to subparagraph (A), (B), or (D) of paragraph (1)) to receive project-based assistance under section 8 of the United States Housing Act of 1937 exceed the amount payable as rent under section 3(a) of the United States Housing Act of 1937, the Secretary shall provide assistance under section 8 of such Act to such families.

''(4) TRANSFER FOR USE UNDER OTHER PROGRAMS OF SECRETARY.—

''(A) IN GENERAL.—The Secretary may transfer a multifamily housing project—

''(i) to a public housing agency for use of the project as public housing; or

''(ii) to an entity eligible to own or operate housing under assisted section 202 of the Housing Act of 1959 or under section 811 of the Cranston-Gonzalez National Affordable Housing Act for use as supportive housing under either of such sections.

''(B) REQUIREMENTS FOR AGREEMENT.—An agreement providing for the transfer of a project described in subparagraph (A) shall—

''(i) contain such terms, conditions, and limitations as the Secretary determines appropriate, including requirements to ensure use of the project as public housing, supportive housing under section 202 of the Housing Act of 1959, or supportive housing under section 811 of the Cranston-Gonzalez National Affordable Housing Act, as applicable; and

''(ii) ensure that no tenant of the project will be displaced as a result of actions taken under this paragraph.

''(f) DISCRETIONARY ASSISTANCE.—In addition to the actions taken under subsection (e) for a multifamily housing project, the Secretary may take any of the following actions:

''(1) SHORT-TERM LOANS.—The Secretary may provide a short-term loan to facilitate the sale of a multifamily housing project to a nonprofit organization or a public agency if—

''(A) authority for such loans is provided in advance in an appropriation Act;

''(B) such loan has a term of not more than 5 years;

''(C) the Secretary determines, based upon documentation provided to the Secretary, that the borrower has obtained a commitment of permanent financing to replace the short-term loan from a lender who meets standards established by the Secretary; and

''(D) the terms of such loan is consistent with prevailing practices in the marketplace or the provision of such loan results in no cost to the Government, as defined in section 502 of the Congressional Budget Act of 1974.

''(2) TENANT-BASED ASSISTANCE.—The Secretary may make available tenant-based assistance under section 8 of the United States Housing Act of 1937 to very low-income families residing in a multifamily housing project that do not otherwise qualify for project-based assistance.

''(3) ALTERNATIVE USES.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, after providing notice to and an opportunity to comment by existing tenants, the Secretary may allow not more than—

''(i) 10 percent of the total number of units in multifamily housing projects that are disposed of by the Secretary during any 1-year period to be made available for uses other than rental or cooperative uses, including low-income homeownership opportunities, or in any particular project, community space, office space for tenant or housing-related service providers or security programs, or small business uses, if such uses benefit the tenants of the project; and

''(ii) 5 percent of the total number of units in multifamily housing projects that are disposed of by the Secretary during any 1-year period to be used in any manner, if the Secretary and the unit of general local government or area-wide governing body determine that such use will further fair housing, community development, or neighborhood revitalization goals.

''(B) DISPLACEMENT PROTECTION.—The Secretary may take actions under subparagraph (A) only if—

''(i) tenant-based rental assistance under section 8 of the United States Housing Act of 1937 is made available to each eligible family residing in the project that is displaced as a result of such actions; and

''(ii) the Secretary determines that sufficient habitable, affordable rental housing is available in the market area in which the project is located to allow use of such assistance.

''(g) REQUIRED ASSISTANCE FOR CERTAIN PROJECTS.—In disposing under this section of multifamily housing projects, the Secretary shall, to the extent that such assistance is available—

''(1) in the case of any project located in a market area in which habitable, affordable rental housing for very low-income families is not sufficiently available, provide tenant-based or project-based rental assistance under section 8 of the United States Housing Act of 1937 (depending on the circumstances of the family) to very low-income families who are preexisting tenants of the project and do not otherwise qualify for project-based assistance; and

''(2) provide project-based assistance for very low-income families who are preexisting tenants of the project to the extent that such assistance is necessary to maintain the financial viability of the project and is reasonably expected to maintain such financial viability.

''(h) RENT RESTRICTIONS.—

''(1) AUTHORITY FOR USE IN UNSUBSIDIZED PROJECTS.—In carrying out the goals specified in subsection (a), the Secretary may require certain units in unsubsidized projects to be subject to use or rent restrictions providing that such units will be available to and affordable by very low-income persons for the remaining useful life of the property, as defined by the Secretary.

''(2) REQUIREMENT REGARDING SUBSIDIZED AND FORMERLY SUBSIDIZED PROJECTS.—In disposing under this section of any subsidized or formerly subsidized multifamily housing project, the Secretary shall require rent restrictions providing that any unassisted very low-income family who resides in a unit in the project on the date of disposition may not pay as rent for the unit an amount in excess of 30 percent of the adjusted income of the family at any time during the period beginning upon such disposition and ending upon the earlier of—

''(A) 15 years after such disposition; or

''(B) the time at which the family first fails to qualify as a very low-income family.

''(3) REQUIREMENT REGARDING UNSUBSIDIZED PROJECTS.— Unless the Secretary determines that the applicability of rent restrictions under this paragraph to a project would unreasonably impede the disposition of the project, in disposing under this section of any unsubsidized multifamily housing project the Secretary shall require rent restrictions providing that any unassisted very low-income family who resides in a unit in the project on the date of disposition may not pay as rent for the unit an amount in excess of 30 percent of the adjusted income of the family at any time during the period beginning upon such disposition and ending upon the earlier of—

''(A) 15 years after such disposition; or

''(B) the time at which the family first fails to qualify as a very low-income family.

''(4) PHASE-IN OF RENT INCREASES.—If the disposition under this section of any multifamily housing project results in any rent increases for any very low-income families who are preexisting tenants of the project and are paying less than 30 percent of the adjusted income of the family for rent, the Secretary shall provide that such rent increases shall be phased in equally over a period of not less than 3 years.

''(5) DEFINITION OF 'UNASSISTED VERY LOW-INCOME FAMILY'.—For purposes of this subsection, the term 'unassisted very low-income family' means a very low-income family who resides in a unit that is not assisted with project-based assistance under section 8 of the United States Housing Act of 1937 and on whose behalf tenant-based assistance under such section is not provided.

''(i) CONTRACT REQUIREMENTS.—Contracts for project-based rental assistance under section 8 of the United States Housing Act of 1937 provided pursuant to this section shall be subject to the following requirements:

''(1) CONTRACT TERM.—The contract shall have a term of 15 years, except that—

''(A) the term may be less than 15 years to the extent that the Secretary finds that, based on the rental charges and financing for the multifamily housing project to which the contract relates, the financial viability of the project can be maintained under a contract having such a term;

''(B) to the extent that units receive project-based assistance for a contract term of less than 15 years, the Secretary shall require that the mount of rent payable by tenants of the project for such units shall not exceed the amount payable for rent under section 3(a) of the United States Housing Act of 1937 for a period of at least 15 years; and

''(C) the term may be less than 15 years if such assistance is provided—

''(i) under a contract authorized under section 6 of the HUD Demonstration Act of 1993; and

''(ii) pursuant to a disposition plan under this section for a project that is determined by the Secretary to be otherwise in compliance with this section.

''(2) CONTRACT RENT.—

''(A) IN GENERAL.—The Secretary shall establish contract rents for section 8 project-based rental contracts issued under this section at levels that provide sufficient amounts for the necessary costs of rehabilitating and operating the multifamily housing project and do not exceed 144 percent of the existing housing fair market rentals for

the market area in which the project assisted under the contract is located.

''(B) UP-FRONT GRANTS AND LOANS.—If the Secretary determines that action under this subparagraph is more cost-effective, the Secretary may utilize the budget authority provided for contracts issued under this section for project-based assistance under section 8 of the United States Housing Act of 1937 to (in addition to providing project-based section 8 rental assistance)—

''(i) provide up-front grants to nonprofit organizations or public housing agencies for the necessary cost of rehabilitation; or

''(ii) pay any cost to the Government, as defined in section 502 of the Congressional Budget Act of 1974, for loans made pursuant to subsection (f)(1).

''(j) DISPOSITION PLAN.—

''(1) IN GENERAL.—Prior to the sale of a multifamily housing project that is owned by the Secretary, the Secretary shall develop an initial disposition plan for the project that specifies the minimum terms and conditions of the Secretary for disposition of the project, the initial sales price that is acceptable to the Secretary, and the assistance that the Secretary plans to make available to a prospective purchaser in accordance with this section. The initial sales price shall be reasonably related to the intended use of the property after sale, any rehabilitation requirements for the project, the rents for units in the project that can be supported by the market, the amount of rental assistance available for the project under section 8 of the United States Housing Act of 1937, and the occupancy profile of the project.

''(2) COMMUNITY AND TENANT INPUT.—In carrying out this section, the Secretary shall develop procedures—

''(A) to obtain appropriate and timely input into disposition plans from officials of the unit of general local government affected, the community in which the project is situated, and the tenants of the project; and

''(B) to facilitate, where feasible and appropriate, the sale of multifamily housing projects to existing tenant organizations with demonstrated capacity, to public or nonprofit entities that represent or are affiliated with existing tenant organizations, or to other public or nonprofit entities.

''(3) TECHNICAL ASSISTANCE.—To carry out the procedures developed under paragraph (2), the Secretary may provide technical assistance, directly or indirectly, and may use amounts available for technical assistance under the Emergency Low Income Housing Preservation Act of 1987, subtitle C of the Low-Income Housing Preservation and Resident Homeownership Act of 1990, subtitle B of title IV of the Cranston-Gonzalez National Affordable Housing Act, or this section, for the provision of technical assistance under this paragraph. Recipients of technical assistance funding under the provisions referred to in this paragraph shall be permitted to provide technical assistance to the extent of such funding under any of such provisions or under this paragraph, notwithstanding the source of the funding.

''(k) RIGHT OF FIRST REFUSAL FOR LOCAL AND STATE GOVERNMENT AGENCIES.—

''(1) NOTIFICATION OF ACQUISITION OF TITLE.—Not later than 30 days after acquiring title to a multifamily housing project, the Secretary shall notify the unit of general local government (which, for purposes of this subsection, shall include any public housing agency) for the area in which the project is located and the State agency or agencies designated by the Governor of the State in which the project is located of such acquisition.

''(2) RIGHT OF FIRST REFUSAL.—During the period beginning upon acquisition of title to a multifamily housing project and ending 45 days after completion of notification under paragraph (1), the Secretary may offer to sell and may sell the project only to the unit of general local government or the designated State agency.

''(3) EXPRESSION OF INTEREST.—The unit of general local government or designated State agency may submit to the Secretary a preliminary expression of interest in a project not later than 45 days after receiving notification from the Secretary under paragraph (1) regarding the project. The Secretary may take such actions as may be necessary to require the unit of general local government or designated State agency to substantiate such interest.

''(4) TIMELY EXPRESSION OF INTEREST.—If the unit of general local government or designated State agency has submitted an expression of interest in a project before the expiration of the 45-day period referred to in paragraph (3) and has substantiated such interest if requested, the Secretary, upon approval of a disposition plan for the project, shall—

''(A) notify the unit of general local government and designated State agency of the terms and conditions of the disposition plan; and

''(B) provide that, for 90 days after the date of such notification, only the unit of general local government or designated State agency may make an offer to purchase the project.

''(5) FAILURE TO TIMELY EXPRESS INTEREST.—If the unit of general local government or designated State agency does not timely express and, if requested, substantiate interest in a project as provided in paragraph (4), the Secretary may offer the project for sale to any interested person or entity upon approval of the disposition plan for the project.

''(6) ACCEPTANCE OF OFFERS.—If the unit of general local government or designated State agency timely expresses and, if requested, substantiates interest in a project as provided in paragraph (4), the Secretary shall accept an offer made by the unit of general local government or designated State agency during the 90-day period for the project under paragraph (4)(B) that complies with the terms and conditions of the disposition plan for the project. The Secretary may accept an offer that does not comply with the terms and conditions of the disposition plan if the Secretary determines that the offer will further the goals specified in subsection (a) by actions that include extension of the duration of low-income affordability restrictions or otherwise restructuring the transaction in a manner that enhances the long-term affordability for low-income persons. The Secretary may reduce the initial sales price in exchange for the extension of low-income affordability restrictions beyond the period of assistance contemplated by the attachment of assistance pursuant to subsection (i)(1) and in order to facilitate affordable rents.

''(7) FAILURE TO SELL TO LOCAL OR STATE GOVERNMENT AGENCY.—If the Secretary and the unit of general local government or designated State agency cannot reach agreement on an offer for purchase of a project within the 90-day period for the project under paragraph (4)(B), the Secretary may offer the project for sale to the general public.

''(8) PURCHASE BY UNIT OF GENERAL LOCAL GOVERNMENT OR DESIGNATED STATE AGENCY.—Notwithstanding any other provision of law, a unit of general local government (including a public housing agency) or designated State agency may purchase a subsidized or formerly subsidized project in accordance with this subsection.

''(9) APPLICABILITY.—This subsection shall apply to projects that are acquired on or after the effective date of this subsection. With respect to projects acquired before such effective date, the Secretary may apply—

''(A) the requirements of paragraphs (2) and (3) of section 203(e) (as in effect immediately before the effective date of this subsection); or

''(B) the requirements of paragraphs (1) through (7) of this subsection, if—

''(i) the Secretary gives the unit of general local government or designated State agency 45 days to express interest in the project; and

''(ii) the unit of general local government or designated State agency expresses interest in the project before the expiration of the 45-day period, and substantiates such interest if requested, within 90 days from the date of notification of the terms and conditions of the disposition plan to make an offer to purchase the project.

''(10) TRANSFER BY LOCAL OR STATE GOVERNMENT AGENCY PURCHASERS.—The Secretary shall permit units of general local government and designated State agencies to transfer multifamily housing projects acquired under the right of first refusal under this subsection to a private entity, but only if the local government or State agency clearly identifies its intention to transfer the project in the offer to purchase the property accepted by the Secretary under this subsection.

''(l) DISPLACEMENT OF TENANTS AND RELOCATION ASSISTANCE.—

''(1) IN GENERAL.—Whenever tenants will be displaced as a result of the disposition of, or repairs to, a multifamily housing project that is owned by the Secretary (or for which the Secretary is mortgagee in possession), the Secretary shall identify tenants who will be displaced and shall notify all such tenants of their pending displacement and of any relocation assistance that may be available. In the case of the disposition of tenants of a multifamily housing project that is not owned by the Secretary (and for which the Secretary is not mortgagee in possession), the Secretary shall require the owner of the project to carry out the requirements of this paragraph.

''(2) RIGHTS OF DISPLACED TENANTS.—The Secretary shall ensure for any such tenant (who continues to meet applicable qualification standards) the right—

''(A) to return, whenever possible, to a repaired unit;

''(B) to occupy a unit in another multifamily housing project owned by the Secretary;

''(C) to obtain housing assistance under the United States Housing Act of 1937; or

''(D) to receive any other available relocation assistance as the Secretary determines to be appropriate.

''(m) MORTGAGE AND PROJECT SALES.—

''(1) IN GENERAL.—The Secretary may not approve the sale of any loan or mortgage held by the Secretary (including any loan or mortgage owned by the Government National Mortgage Association) on any subsidized project or formerly subsidized project, unless such sale is made as part of a transaction that will ensure that such project will continue to operate at least until the maturity date of such loan or mortgage, in a manner that will provide rental housing on terms at least as advantageous to existing and future tenants as the terms required by the program under which the loan or mortgage was made or insured prior to the assignment of the loan or mortgage on such project to the Secretary.

''(2) SALE OF CERTAIN PROJECTS.—The Secretary may not approve the sale of any subsidized project—

''(A) that is subject to a mortgage held by the Secretary, or

''(B) if the sale transaction involves the provision of any additional subsidy funds by the Secretary or a recasting of the mortgage,

unless such sale is made as part of a transaction that will ensure that the project will continue to operate, at least until the maturity date of the loan or mortgage, in a manner that will provide rental housing on terms at least as advantageous to existing and future tenants as the terms required by the program under which the loan or mortgage was made or insured prior to the proposed sale of the project.

''(3) MORTGAGE SALES TO STATE AND LOCAL GOVERNMENTS.—Notwithstanding any provision of law that requires competitive sales or bidding, the Secretary may carry out negotiated sales of subsidized or formerly subsidized mortgages held by the Secretary, without the competitive selection of purchasers or intermediaries, to units of general local government or State agencies, or groups of investors that include at least one such unit of general local government or State agency, if the negotiations are conducted with such agencies, except that—

''(A) the terms of any such sale shall include the agreement of the purchasing agency or unit of local government or State agency to act as mortgagee or owner of a beneficial interest in such mortgages, in a manner consistent with maintaining the projects that are subject to such mortgages for occupancy by the general tenant group intended to be served by the applicable mortgage insurance program, including, to the extent the Secretary determines appropriate, authorizing such unit of local government or State agency to enforce the provisions of any regulatory agreement or other program requirements applicable to the related projects; and

''(B) the sales prices for such mortgages shall be, in the determination of the Secretary, the best prices that may be obtained for such mortgages from a unit of general local government or State agency, consistent with the expectation and intention that the projects financed will be retained for use under the applicable mortgage insurance program for the life of the initial mortgage insurance contract.

''(4) SALE OF MORTGAGES COVERING UNSUBSIDIZED PROJECTS.—Notwithstanding any other provision of law, the Secretary may sell mortgages held on unsubsidized projects on such terms and conditions as the Secretary may prescribe.

''(n) REPORT TO CONGRESS.—Not later than June 1 of each year, the Secretary shall submit to the Congress a report describing the status of multifamily housing projects owned by or subject to mortgages held by the Secretary. The report shall include—

''(1) the name, address, and size of each project;

''(2) the nature and date of assignment of each project;

''(3) the status of the mortgage for each project;

''(4) the physical condition of each project;

''(5) for each subsidized or formerly subsidized project, an occupancy profile of the project, stating the income, family size, race, and ethnic origin of current residents and the rents paid by such residents;

''(6) the proportion of units in each project that are vacant;

''(7) the date on which the Secretary became mortgagee in possession of each project, if applicable;

''(8) the date and conditions of any foreclosure sale for a project;

''(9) the date of acquisition of each project by the Secretary, if applicable;

''(10) the date and conditions of any property disposition sale for a project;

''(11) a description of actions undertaken pursuant to this section, including a description of the effectiveness of such actions and any impediments to the disposition or management of multifamily housing projects;

''(12) a description of any of the functions performed in connection with this section that are contracted out to public or private entities or to States; and

''(13) a description of the activities carried out under subsection (k) during the preceding year.''.

(c) CLARIFICATION OF FEDERAL PREFERENCES.—

(1) PUBLIC HOUSING TENANCY.—Section 6(c)(4)(A)(i) of the United States Housing Act of 1937 (42 U.S.C. 1437d(c)(4)(A)(i)) is amended by inserting after ''displaced'' the following: ''(including displacement because of disposition of a multifamily housing project under section 203 of the Housing and Community Development Amendments of 1978)''.

(2) SECTION 8 ASSISTANCE.—Section 8(d)(1)(A)(i) of the United States Housing Act of 1937 (42 U.S.C. 1437f(d)(1)(A)(i)) is amended by inserting after ''displaced'' the following: ''(including displacement because of disposition of a multifamily housing project under section 203 of the Housing and Community Development Amendments of 1978)''.

(d) DEFINITION OF OWNER.—Section 8(f)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437f(f)(1)) is amended by inserting ''an agency of the Federal Government,'' after ''cooperative,''.

(e) AMENDMENT TO NATIONAL HOUSING ACT.—Title V of the National Housing Act (12 U.S.C. 1731a et seq.) is amended by adding at the end the following new section:

''PARTIAL PAYMENT OF CLAIMS ON MULTIFAMILY HOUSING PROJECTS

''SEC. 541. (a) AUTHORITY.—Notwithstanding any other provision of law, if the Secretary is requested to accept assignment of a mortgage insured by the Secretary that covers a multifamily housing project (as such term is defined in section 203(b) of the Housing and Community Development Amendments of 1978) and the Secretary determines that partial payment would be less costly to the Federal Government than other reasonable alternatives for maintaining the low-income character of the project, the Secretary may request the mortgagee, in lieu of assignment, to—

''(1) accept partial payment of the claim under the mortgage insurance contract; and

''(2) recast the mortgage, under such terms and conditions as the Secretary may determine.

''(b) REPAYMENT.—As a condition to a partial claim payment under this section, the mortgagor shall agree to repay to the Secretary the amount of such payment and such obligation shall be secured by a second mortgage on the property on such terms and conditions as the Secretary may determine.''.

(f) EFFECTIVE DATE.—The Secretary shall issue interim regulations necessary to implement the amendments made by subsections (b) through (d) not later than 90 days after the date of the enactment of this Act. Such interim regulations shall take effect upon issuance and invite public comment on the interim regulations. The Secretary shall issue final regulations to implement such amendments after opportunity for such public comment, but not later than 12 months after the date of issuance of such interim regulations.

SEC. 6002. SECTION 235 MORTGAGE REFINANCING.

Section 235(r) of the National Housing Act is amended—

(1) in paragraph (2)(C), by inserting after ''refinanced'' the following: '', plus the costs incurred in connection with the refinancing as described in paragraph (4)(B) to the extent that the amount for those costs is not otherwise included in the interest rate as permitted by subparagraph (E) or paid by the Secretary as authorized by paragraph (4)(B)'';

(2) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by inserting after ''otherwise)'' the following: ''and the mortgagee (with respect to the amount described in subparagraph (A))''; and

(B) in subparagraph (A), by inserting after ''mortgagor'' the following: ''and the mortgagee''; and

(3) by amending paragraph (5) to read as follows:

''(5) The Secretary shall use amounts of budget authority recaptured from assistance payments contracts relating to mortgages that are being refinanced for assistance payments contracts with respect to mortgages insured under this subsection. The Secretary may also make such recaptured amounts available for incentives under paragraph (4)(A) and the costs incurred in connection with the refinancing under paragraph (4)(B). For purposes of subsection (c)(3)(A), the amount of recaptured budget authority that the Secretary commits for assistance payments contracts relating to mortgages insured under this subsection and for amounts paid under paragraph (4) shall not be construed as unused.''.

SEC. 6003. USE OF EMERGENCY ASSISTANCE FUNDS FOR RESIDENCY IN MULTIFAMILY HOUSING DISPOSITION PROJECTS.

Section 203(f) of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z–11), as amended by section 6001 of this Act, is further amended by adding at the end the following new paragraph:

''(4) EMERGENCY ASSISTANCE FUNDS.—The Secretary may make arrangements with State agencies and units of general local government of States receiving emergency assistance under part A of title IV of the Social Security Act for the provision of assistance under such Act on behalf of eligible families who would reside in any multifamily housing projects.''.

SEC. 6004. ADDITIONAL EMPLOYEES TO FACILITATE DISPOSITION OF FHA INVENTORY PROPERTIES.

Notwithstanding any other provision of law, during fiscal years 1993, 1994, and 1995 amounts in the various funds of the Federal Housing Administration otherwise available to the Secretary of Housing and Urban Development for non-overhead expenses associated with processing, accounting, loan servicing, asset management, and disposition services may be used by the Secretary for personnel compensation and benefits for temporary employees of the Department of Housing and Urban Development employed to manage, service, and dispose of single family and multifamily properties insured by, assigned to, or owned by the Secretary. The Secretary may employ not more than 400 temporary employees at any one time using amounts made available pursuant to this section, no such employee may be employed in a temporary position pursuant to this section for a period in excess of 2 years, and such employees shall not be considered for purposes of any personnel ceiling applicable to the Department of Housing and Urban Development or any unit therein or any personnel ceiling applicable to temporary employees of the Federal Government.

SEC. 6005. HUD STREAMLINING.

The Secretary of Housing and Urban Development shall carry out the recommendation of the Report of the National Performance Review, issued on September 7, 1993, that the Department streamline its headquarters, regional, and field office structure and consolidate and reduce its size, without regard to the requirements of section 7(p) of the Department of Housing and Urban Development Act.

TITLE VII—DEPARTMENT OF THE INTERIOR

SEC. 7001. IMPROVEMENT OF MINERALS MANAGEMENT SERVICE ROYALTY COLLECTION.

(a) The Secretary of the Interior shall, by fiscal year 1995, direct the Minerals Management Service, Royalty Management Program, to develop and implement (1) an automated business information system to provide to its auditors a lease history that includes reference, royalty, production, financial, compliance history, pricing and valuation, and other information; (2) the optimum methods to identify and resolve anomalies and to verify that royalties are paid correctly; (3) a more efficient and cost-effective royalty collection process by instituting new compliance and enforcement measures, including assessments and penalties for erroneous reporting and underreporting; (4) pilot projects under which a State may assume mineral receipt collections on Federal lands within the State and where the State assumes 50 percent of the cost of such pilot project; and (5) such other actions as may be necessary to reduce royalty underpayment and increase revenue to the U.S. Treasury by an estimated total of $28 million by fiscal year 1999.

(b) The Federal Oil and Gas Royalty Management Act of 1982 (Public Law No. 97–451), 30 U.S.C. 1701 et seq.) is amended by adding a new subsection 111(h) as follows:

''PENALTY ASSESSMENT FOR SUBSTANTIAL UNDERREPORTING OF ROYALTY''

''SEC. 111. (h)(1) If there is any under reporting of royalty owed on production from any lease issued or administered by the Secretary for the production of oil, gas, coal, any other mineral, or geothermal steam, from any Federal or Indian lands or the Outer Continental Shelf, for any production month, by any person who is responsible for paying royalty, the Secretary may assess a penalty of 10 percent of the amount of that underreporting.

''(2) If there is a substantial under reporting of royalty owed on production from any lease issued or administered by the Secretary for the production of oil, gas, coal, any other mineral, or geothermal steam, from any Federal or Indian lands or the Outer Continental Shelf, for any production month, by any person who is responsible for paying royalty, the Secretary may assess a penalty of 20 percent of the amount of that substantial underreporting.

''(3) For purposes of this section, the term 'underreporting' means the difference between the royalty on the value of the production which should have been reported and the royalty on the value of the production which was reported, if the value of the production which should have been reported is greater than the value of the production which was reported. An underreporting constitutes a 'substantial underreporting' if such difference exceeds 10 percent of the royalty on the value of the production which should have been reported.

''(4) The Secretary shall not impose the assessment provided in paragraphs (1) or (2) if the person corrects the underreporting before the date the person receives notice from the Secretary that an underreporting may have occurred, or before 90 days after the date of enactment of this section, whichever is later.

''(5) The Secretary shall waive any portion of an assessment provided in paragraphs (1) or (2) attributable to that portion of the underreporting for which the person demonstrates that—

''(i) the person had written authorization from the Secretary to report royalty on the value of the production on the basis on which it was reported, or

''(ii) the person had substantial authority for reporting royalty on the value of the production on the basis on which it was reported, or

''(iii) the person previously had notified the Secretary, in such manner as the Secretary may by rule prescribe, of relevant reasons or facts affecting the royalty treatment of specific production which led to the underreporting, or

''(iv) the person meets any other exception which the Secretary may, by rule, establish.

''(6) All penalties collected under this subsection shall be deposited to the same accounts in the Treasury or paid to the same recipients in the same manner as the royalty with respect to which such penalty is paid.''.

SEC. 7002. PHASE OUT OF MINERAL INSTITUTE PROGRAM.

The Secretary of the Interior, beginning in fiscal year 1995, shall take action to phase out the Mining and Mineral Resources Research Institute Act of 1984, Public Law 98–409, as amended (98 Stat. 1536 through 1541 and 102 Stat. 2339 through 2341, 30 U.S.C. 1221 through 1230). There are hereby authorized to be appropriated under the Act the following amounts: fiscal year 1995—$6.5 million; fiscal year 1996—$5 million; fiscal year 1997—$3 million; and fiscal year 1998—$1.5 million. No further appropriations for this Act are authorized after September 30, 1998.

SEC. 7003. REORGANIZATION STUDY OF BUREAU OF INDIAN AFFAIRS.

(a) GENERAL AUTHORITY.—The Secretary of the Interior, with the active participation of Indian tribes, shall conduct a study of the reorganization of the Bureau of Indian Affairs.

(b) CONTENT.—The study conducted under subsection (a) shall include (but shall not be limited to)—

(1) an examination of the current structure of the Bureau of Indian Affairs and recommendations for structural changes to improve the implementation of Federal trust responsibilities toward Indian tribes;

(2) an examination of the current roles of the Central, Area, and Agency offices of the Bureau of Indian Affairs and recommendations to improve efficiency of the Bureau through reorganization;

(3) an examination of the efficiency of the Bureau of Indian Affairs in comparison with other Bureaus of the Department of the Interior;

(4) an examination of the barriers to the implementation of the 1988 amendments to the Indian Self-Determination and Education Assistance Act throughout the Department of the Interior and a proposed plan for effective implementation; and

(5) recommendations for the transfer of personnel and resources from the Central, Area, and Agency offices of the Bureau of Indian Affairs to Indian tribes.

(c) REPORT.—The Secretary shall complete the study conducted pursuant to this section and shall submit such study, together with recommendations and draft legislation to implement such recommendations, to the Congress within one year after the date of enactment of this Act.

SEC. 7004. TERMINATION OF ANNUAL DIRECT GRANT ASSISTANCE

(a) TERMINATION.—Pursuant to section 704(d) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (48 U.S.C. 1681 note), the annual payments under section 702 of the Covenant shall terminate as of September 30, 1993.

(b) REPEAL.—Sections 3 and 4 of the Act of March 24, 1976 (Public Law 94–241; 48 U.S.C. 1681 note), as amended, are repealed, effective October 1, 1993.

TITLE VIII—MISCELLANEOUS PROVISIONS

SEC. 8001. LIMITATION ON CERTAIN ANNUAL PAY ADJUSTMENTS.

Effective as of December 31, 1994—

(1) section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31(2)) is amended—

(A) by striking ''(2) Effective'' and inserting ''(2)(A) Subject to subparagraph (B), effective''; and

(B) by adding at the end the following:

''(B) In no event shall the percentage adjustment taking effect under subparagraph (A) in any calendar year (before rounding), in any rate of pay, exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule.'';

(2) section 104 of title 3, United States Code, is amended—

(A) in the first sentence by inserting ''(a)'' before ''The'';

(B) in the second sentence by striking ''Effective'' and inserting ''Subject to subsection (b), effective''; and

(C) by adding at the end the following:

''(b) In no event shall the percentage adjustment taking effect under the second and third sentences of subsection (a) in any calendar year (before rounding) exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5 in the rates of pay under the General Schedule.'';

(3) section 5318 of title 5, United States Code, is amended—

(A) in the first sentence by striking ''Effective'' and inserting ''(a) Subject to subsection (b), effective''; and

(B) by adding at the end the following:

''(b) In no event shall the percentage adjustment taking effect under subsection (a) in any calendar year (before rounding), in any rate of pay, exceed the percentage adjustment taking effect in such calendar year under section 5303 in the rates of pay under the General Schedule.''; and

(4) section 461(a) of title 28, United States Code, is amended—

(A) by striking ''(a) Effective'' and inserting ''(a)(1) Subject to paragraph (2), effective''; and

(B) by adding at the end the following:

''(2) In no event shall the percentage adjustment taking effect under paragraph (1) in any calendar year (before rounding), in any salary rate, exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5 in the rates of pay under the General Schedule.''.

SEC. 8002. REDUCTION OF FEDERAL FULL-TIME EQUIVALENT POSITIONS.

(a) DEFINITION.—For purposes of this section, the term ''agency'' means an Executive agency as defined under section 105 of title 5, United States Code, but does not include the General Accounting Office.

(b) LIMITATIONS ON FULL-TIME EQUIVALENT POSITIONS.—The President, through the Office of Management and Budget (in consultation with the Office of Personnel Management), shall ensure that the total number of full-time equivalent positions in all agencies shall not exceed—

(1) 2,053,600 during fiscal year 1994;

(2) 1,999,600 during fiscal year 1995;

(3) 1,945,600 during fiscal year 1996;

(4) 1,895,600 during fiscal year 1997; and

(5) 1,851,600 during fiscal year 1998.

(c) MONITORING AND NOTIFICATION.—The Office of Management and Budget, after consultation with the Office of Personnel Management, shall—

(1) continuously monitor all agencies and make a determination on the first date of each quarter of each applicable fiscal year of whether the requirements under subsection (b) are met; and

(2) notify the President and the Congress on the first date of each quarter of each applicable fiscal year of any determination

that any requirement of subsection (b) is not met.

(d) COMPLIANCE.—If at any time during a fiscal year, the Office of Management and Budget notifies the President and the Congress that any requirement under subsection (b) is not met, no agency may hire any employee for any position in such agency until the Office of Management and Budget notifies the President and the Congress that the total number of full-time equivalent positions for all agencies equals or is less than the applicable number required under subsection (b).

(e) WAIVER.—

(1) EMERGENCIES.—Any provision of this section may be waived upon a determination by the President that—

(A) the existence of a state of war or other national security concern so requires; or

(B) the existence of an extraordinary emergency threatening life, health, safety, property, or the environment so requires.

(2) AGENCY EFFICIENCY OR CRITICAL MISSION.—

(A) Subsection (d) may be waived, in the case of a particular position or category of positions in an agency, upon a determination of the President that the efficiency of the agency or the performance of a critical agency mission so requires.

(B) Whenever the President grants a waiver pursuant to subparagraph (A), the President shall take all necessary actions to ensure that the overall limitations set forth in subsection (b) are not exceeded.

TITLE IX—DEPARTMENT OF LABOR

SEC. 9001. DETERRENCE OF FRAUD AND ABUSE IN FECA PROGRAM.

(a) Section 8102 of title 5, United States Code, is amended to redesignate subsection (b) as subsection (c), and to add the following new subsection (b):

''(b) An individual convicted of a violation of 18 U.S.C. 1920, as amended, or of any other fraud related to the application for or receipt of benefits under subchapter I or III of chapter 81 of title 5, shall forfeit, as of the date of the conviction, all entitlement to any prospective benefits provided by subchapter I or III for any injury occurring on or before the date of the conviction. Such a forfeiture of benefits shall be in addition to any action the Secretary may take under section 8106 or 8129 of title 5, United States Code.''.

(b) Section 8116 of title 5, United States Code, is amended by adding the following new subsection (e):

''(e) Notwithstanding any other provision of this title, no benefits under sections 8105 or 8106 of this subchapter shall be paid or provided to any individual during any period during which such individual is confined in a jail, prison, or other penal institution or correctional facility, pursuant to that individual's conviction of an offense that constituted a felony under applicable law, except where such individual has one or more dependents within the meaning of section 8110 of this subchapter, in which case the Secretary may, during the period of incarceration, pay to such dependents a percentage of the benefits that would have been payable to such individual computed according to the percentages set forth in section 8133(a)(1)–(5) of this subchapter.''.

(c) Section 8116 of title 5, United States Code, is further amended by adding the following new subsection (f):

''(f) Notwithstanding the provisions of section 552a of this title, or any other provision of Federal or State law, any agency of the United States Government or of any State (or political subdivision thereof) shall make available to the Secretary, upon written request, the names and Social Security account numbers of individuals who are confined in a jail, prison or other penal institution or correctional facility under the jurisdiction of such agency, pursuant to such individuals' conviction of an offense that constituted a felony under applicable law, which the Secretary may require to carry out the provisions of this subsection.''.

(d) Section 1920 of title 18, United States Code, is amended to read as follows: ''Whoever knowingly and willfully falsifies, conceals, or covers up a material fact, or makes a false, fictitious, or fraudulent statement or representation, or makes or uses a false statement or report knowing the same to contain any false, fictitious or fraudulent statement or entry in connection with the application for or receipt of compensation or other benefit or payment under subchapter I or III of chapter 81 of title 5, United States Code, shall be punished by a fine of not more than $250,000, or by imprisonment for not more than five years, or both.''.

(e) Except as otherwise provided in this section, the amendments made by this section shall be effective on the date of enactment and shall apply to actions taken on or after the date of enactment both with respect to claims filed before the day of enactment and with respect to claims filed after such date.

(f) The amendments made by subsections (a), (b), and (c) of this section shall be effective on the date of enactment and shall apply to any person convicted or imprisoned on or after the date of enactment.

(g) The amendment made by subsection (d) of this section shall be effective on the date of enactment and shall apply to any claim, statement, representation, report, or other written document made or submitted in connection with a claim filed under subchapter I or III of chapter 81 of title 5, United States Code.

SEC. 9002. ENHANCEMENT OF REEMPLOYMENT PROGRAMS FOR FEDERAL EMPLOYEES DISABLED IN THE PERFORMANCE OF DUTY.

(a) Section 8104 of title 5, United States Code, is amended—

(1) by striking the comma after ''employment'' and by striking ''other than employment undertaken pursuant to such rehabilitation'' from subsection (b); and

(2) by adding the following new subsection (c):

''(c) The Secretary of Labor, as part of the vocational rehabilitation effort, may assist permanently disabled individuals in seeking and/or obtaining employment. The Secretary may reimburse an employer (including a Federal employer), who was not the employer at the time of injury and who agrees to employ a disabled beneficiary, for portions of the salary paid by such employer to the reemployed, disabled beneficiary. Any such sums shall be paid from the Employees' Compensation Fund.''.

(b) The Secretary of Labor is authorized to expand the Federal Employees' Compensation Act Periodic Roll Management Project to all offices of the Office of Workers' Compensation Program of the Department of Labor.

(c) The provisions of, and amendments made by, subsections (a) and (b) of this section shall be effective on the date of enactment.

SEC. 9003. WAGE DETERMINATIONS.

(a) The McNamara-O'Hara Service Contract Act, as amended (41 U.S.C. 351 et seq.) is amended by adding at the end the following new section:

''SEC. 11. To more effectively implement wage determination procedures, the Secretary of Labor is authorized to develop and implement an electronic data interchange system to request and obtain wage determinations required under the Act.''.

(b) The Davis-Bacon Act, as amended (41 U.S.C. 276a et seq.) is amended by adding at the end the following new section:

''SEC. 8. To more effectively implement wage determination procedures, the Secretary of Labor is authorized to develop and implement an electronic data interchange system to request and obtain wage determinations required under the Act.''.

(c) The amendments made by subsections (a) and (b) of this section shall be effective on the date of enactment.

SEC. 9004. ELIMINATION OF FILING REQUIREMENTS.

(a) Section 101(b) of the Employee Retirement Income Security Act of 1974 (ERISA) (29 U.S.C. 1021(b)) is amended by striking paragraphs (1), (2) and (3) and by redesignating paragraphs (4) and (5) as paragraphs (1) and (2), respectively.

(b) Section 102 of ERISA (29 U.S.C. 1022) is amended by striking paragraph (a)(2) and redesignating paragraph (a)(1) as subsection (a).

(c) Section 104(a)(1) of ERISA (29 U.S.C. 1024(a)(1)) is amended to read as follows:

''SEC. 104. (a)(1) The administrator of any employee benefit plan subject to this part shall file with the Secretary the annual report for a plan year within 210 days after the close of such year (or within such time as may be required by regulations promulgated by the Secretary in order to reduce duplicative filing). The Secretary shall make copies of such annual reports available for inspection in the public document room of the Department of Labor. The administrator shall also furnish to the Secretary, upon request, any documents relating to the employee benefit plan including but not limited to the summary plan description, description of material modifications to the plan, bargaining agreement, trust agreement, contract, or other instrument under which the plan is established or operated.''.

(d) Section 104(b) of ERISA (29 U.S.C. 1024(b)) is amended by adding at the end the following new paragraph:

''(5) The Secretary shall, upon written request of any participant or beneficiary of a plan for a copy of any documents described in paragraph (4), make a written request to the plan administrator for copies of such documents. The plan administrator shall comply with such request from the Secretary. Upon obtaining such copies from the plan administrator, the Secretary shall provide them to the requesting participant or beneficiary. In making a request under this paragraph to the plan administrator, the Secretary shall not disclose to the plan administrator the identity of the participant or beneficiary. The administrator may make a reasonable charge to cover the cost of furnishing such complete copies consistent with any regulations issued by the Secretary pursuant to paragraph (4). The Secretary may require the participant or beneficiary to reimburse the Secretary for such charges before the participant receives the requested copies.''.

(e) Section 106(a) of ERISA (29 U.S.C. 1026(a)) is amended by striking ''descriptions,''.

(f) Section 107 of ERISA (29 U.S.C. 1027) is amended by striking ''description or''.

(g) Section 108 of ERISA (29 U.S.C. 1028) is amended by striking ''(B) after publishing or filing the plan description, annual reports,'' and inserting ''(B) after publishing the plan description, or after publishing or filing the annual reports,''.

(h) Section 109(b) of ERISA (29 U.S.C. 1029(b)) is amended to read as follows:

''(b) The financial statement and opinion required to be prepared by an independent qualified public accountant pursuant to section 103(a)(3)(A) and the actuarial statement required to be prepared by an enrolled actuary pursuant to section 103(a)(4)(A) shall not be required to be submitted on forms.''.

(i) Section 502(c) of ERISA is amended by adding at the end the following new paragraph:

''(4) The Secretary may assess a civil penalty against any plan administrator of up to $100 per day from the date of such plan administrator's failure or refusal to comply with a request for documents which such administrator is required to furnish to the Secretary (unless such failure or refusal results from matters reasonably beyond the control of the administrator) pursuant to section 104(b)(5) by mailing the material requested to the address provided by the Secretary within 30 days after such request.''.

(j) EFFECTIVE DATE.—The provisions of this section shall take effect on the date of enactment of this Act.

TITLE X—DEPARTMENT OF STATE AND UNITED STATES INFORMATION AGENCY

SEC. 10001. IMPROVEMENT OF EFFICIENCY OF STATE DEPARTMENT ACTIVITIES.

The Secretary of State shall take action to improve the efficiency of the activities of the Department of State and save a total of $5,700,000 by the end of fiscal year 1999.

SEC. 10002. IMPROVEMENT OF EFFICIENCY OF USIA PUBLIC DIPLOMACY ACTIVITIES.

The Director of the United States Information Agency (USIA) shall take action to improve the efficiency of USIA's public diplomacy activities and save a total of $15,000,000 by the end of fiscal year 1999.

TITLE XI—DEPARTMENT OF TRANSPORTATION

SEC. 11001. REEMPLOYMENT RIGHTS FOR CERTAIN MERCHANT SEAMEN.

(a) IN GENERAL.—Title III of the Merchant Marine Act, 1936 (46 App. U.S.C. 1131) is amended by inserting after section 301 the following new section:

''SEC. 302. (a) An individual who is certified by the Secretary of Transportation under subsection (c) shall be entitled to reemployment rights and other benefits substantially equivalent to the rights and benefits provided for by chapter 43 of title 38, United States Code, for any member of a Reserve component of the Armed Forces of the United States who is ordered to active duty.

''(b) An individual may submit an application for certification under subsection (c) to the Secretary of Transportation not later than 45 days after the date the individual completes a period of employment described in subsection (c)(1)(A) with respect to which the application is submitted.

''(c) Not later than 20 days after the date the Secretary of Transportation receives from an individual an application for certification under this subsection, the Secretary shall—

''(1) determine whether or not the individual—

''(A) was employed in the activation or operation of a vessel—

''(i) in the National Defense Reserve Fleet maintained under section 11 of the Merchant Ship Sales Act of 1946, in a period in which that vessel was in use or being activated for use under subsection (b) of that section;

''(ii) that is requisitioned or purchased under section 902 of this Act; or

''(iii) that is owned, chartered, or controlled by the United States and used by the United States for a war, armed conflict, national emergency, or maritime mobilization need (including for training purposes or testing for readiness and suitability for mission performance); and

''(B) during the period of that employment, possessed a valid license, certificate of registry, or merchant mariner's document issued under chapter 71 or chapter 73 (as applicable) of title 46, United States Code; and

''(2) if the Secretary makes affirmative determinations under paragraph (1) (A) and (B), certify that individual under this subsection.

''(d) For purposes of reemployment rights and benefits provided by this section, a certification under subsection (c) shall be considered to be the equivalent of a certificate referred to in clause (1) of section 4301(a) of title 38, United States Code.''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to employment described in section 302(c)(1)(A) of the Merchant Marine Act, 1936, as amended by subsection (a), occurring after August 2, 1990.

(c) EMPLOYMENT ENDING BEFORE ENACTMENT.—Notwithstanding subsection (b) of section 302 of the Merchant Marine Act, 1936, as amended by this Act, an individual who, in the period beginning August 2, 1990, and ending on the date of the enactment of this Act, completed a period of employment described in subsection (c)(1)(A) of that section may submit an application for certification under subsection (c) of that section with respect to that employment not later than 45 days after the date of the enactment of this Act.

(d) REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Transportation shall issue regulations implementing this section.

SEC. 11102. REFORM OF ESSENTIAL AIR SERVICE PROGRAM.

Section 419 of the Federal Aviation Act of 1958 (49 App. U.S.C. 1389) is amended—

(1) in subsection (a) by striking paragraph (2) and inserting the following:

''(2) RESTRICTIONS ON QUALIFICATIONS AS AN ELIGIBLE POINT.—To qualify as an eligible point in the 48 contiguous states, Hawaii, and Puerto Rico for purposes of fiscal year 1995 and thereafter, a point described in paragraph (1) must not require a rate of subsidy per passenger in excess of $200 unless such point is more than 210 miles from the nearest large or medium hub airport and may not be located fewer than 70 highway miles from the nearest large or medium hub airport;'' and

(2) in subsection (l) by striking paragraph (2) and inserting the following:

''(2) AMOUNTS AVAILABLE.—There shall be available to the Secretary from the Airport and Airway Trust Fund to incur obligations under this section $33,423,077 per fiscal year for each of fiscal years 1994 through 1999. Such amounts shall remain available until expended. Unobligated balances that remain available as of September 30, 1994, are rescinded.''.

SEC. 11003. AIRWAY SCIENCE PROGRAM.

(a) REPEAL.—All authority for—

(1) the Secretary of Transportation to enter into grant agreements with universities or colleges having an airway science curriculum recognized by the Federal Aviation Administration, to conduct demonstration projects in the development, advancement, or expansion of airway science programs; and

(2) the Federal Aviation Administration to enter into competitive grant agreements with institutions of higher education having airway science curricula, and all authorizations to appropriate for such purposes, as enacted under the head, ''Federal Aviation Administration, Facilities and Equipment'', in the Department of Transportation and Related Agencies Appropriations Acts for fiscal years ending before October 1, 1993;

is repealed.

(b) LIMITATION.—Subsection (a) shall not affect the authority of the Secretary to enter into grant agreements with universities, colleges, or institutions of higher education to obligate funds appropriated for fiscal years ending before October 1, 1993, which have not been rescinded.

SEC. 11004. COLLEGIATE TRAINING INITIATIVE.

(a) IN GENERAL.—Section 313(d) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1354(d)) is amended—

(1) by striking the subsection heading and all that follows through ''The Administrator'' and inserting the following:

''(d) TRAINING SCHOOLS.—

''(1) IN GENERAL.—The Administrator'';

(2) by moving the text of paragraph (1), as so designated, 2 ems to the right; and

(3) by adding at the end the following:

''(2) COLLEGIATE TRAINING INITIATIVE.—

''(A) CONTINUATION.—The Administrator of the Federal Aviation Administration may continue the Collegiate Training Initiative program, by entering into new agreements, with post-secondary institutions, as defined by the Administrator, whereby such institutions, without cost to the Federal Aviation Administration, prepare students for the position of air traffic controller with the Department of Transportation, as defined in section 2109 of title 5, United States Code.

''(B) STANDARDS.—The Administrator may establish standards for the entry of institutions into such program and for their continued participation in it.

''(C) APPOINTMENT IN EXCEPTED SERVICE.—The Administrator may appoint persons who have successfully completed a course of training in such program to the position of air traffic controller noncompetitively in the excepted service, as defined in section 2103 of title 5, United States Code. Persons so appointed shall serve at the pleasure of the Administrator, subject to section 7511 of such title (pertaining to adverse actions). However, an appointment under this subparagraph may be converted from one in the excepted service to a career conditional or career appointment in the competitive civil service, as defined in section 2102 of such title when the incumbent achieves full performance level air traffic controller status, as determined by the Administrator. The authority conferred by this subparagraph to make new appointments in the excepted service shall expire at the end of 5 years from the date of the enactment of this subparagraph; except that the Administrator may determine to extend such authority for 1 or more successive 1-year periods thereafter.''.

(b) CONFORMING AMENDMENT.—Section 362 of the Department of Transportation and Related Agencies Appropriations Act, 1993 (106 Stat. 1560) is repealed.

(c) LIMITATION.—The repeal and the amendments made by this section shall not prohibit the expenditure of funds appropriated for fiscal years ending before October 1, 1994.

TITLE XII—DEPARTMENT OF VETERANS AFFAIRS

Subtitle A—Administrative Improvements

SEC. 12001. ELIMINATION OF HOSPITAL AND NURSING HOME BED CAPACITY REQUIREMENTS.

(a) Section 8110(a)(1) of title 38, United States Code, is amended—

(1) by striking ''at not more than 125,000 and not less than 100,000''; and

(2) by striking the third and fourth sentences.

(b) Section 8111(a) of such title is amended by striking out ''result (1)'' and all that follows through ''maintained or''.

SEC. 12002. ELIMINATION OF REQUIREMENT FOR MINIMUM NUMBER OF PERSONNEL IN THE OFFICE OF INSPECTOR GENERAL.

Subsection (b) of section 312 of title 38, United States Code, is amended to read as follows:

''(b) Whenever the Secretary proposes to reduce the authorized number of full-time equivalent employees assigned to the Office of Inspector General, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report providing notice of the proposed reduction and a detailed explanation

for the proposed reduction. No action to carry out the proposed reduction may be taken after the submission of such report until the end of a 45-day period of continuous session of Congress (determined in the same manner as specified in the last sentence of section 510(b) of this title) following the date of the submission of the report.''.

SEC. 12003. MODIFICATION OF ADMINISTRATIVE REORGANIZATION AUTHORITY.

(a) MODIFICATION OF REQUIREMENT TO REPORT TO CONGRESS.—Section 510 of title 38, United States Code, is amended by striking out ''90-day'' both places it appears in subsection (b) and inserting in lieu thereof ''45-day''.

(b) AUTHORITY TO REORGANIZE OFFICES IN EVENT OF EMERGENCY.—Such section is further amended by striking out subsection (d) and inserting the following:

''(d)(1) The limitation in subsection (b) does not apply with respect to an administrative reorganization at a medical facility if the Secretary determines that the reorganization is necessary to respond to an emergency situation at that facility. The Secretary may determine that there is an emergency situation at a medical facility for purposes of this subsection only in a case in which there would be an immediate danger to patients and employees at that facility without the reorganization. In the case of a facility at which officials of the Department are considering whether to implement an administrative reorganization before the event or occurrence which leads to an initial finding that such an emergency exists, the Secretary may not make such a determination.

''(2) Whenever the Secretary determines under paragraph (1) that it is necessary to carry out an administrative reorganization at a medical facility without regard to the limitation in subsection (b), the Secretary shall submit a report on that determination to the Committees on Veterans' Affairs of the Senate and House of Representatives. The report shall provide the same information as is provided in a detailed plan and justification in the case of an administrative reorganization subject to subsection (b). The Secretary shall include in the report an explanation of the alternatives to the proposed administrative reorganization that were considered and each factor that was considered in the decision to reject each such alternative.''.

SEC. 12004. ELIMINATION OF REQUIREMENT FOR CERTAIN SERVICES IN THE VETERANS HEALTH ADMINISTRATION.

(a) Section 7305 of title 38, United States Code, is repealed.

(b) The table of sections at the beginning of chapter 73 of such title is amended by striking the item relating to section 7305.

SEC. 12005. MODIFICATION OF PHYSICIAN REQUIREMENT FOR CERTAIN SENIOR VETERANS HEALTH ADMINISTRATION OFFICIALS.

(a) UNDER SECRETARY.—Section 305 of title 38, United States Code, is amended—

(1) in subsection (a)(2), by striking out ''shall be a doctor of medicine and shall be'' and inserting in lieu thereof ''shall (except as provided in subsection (d)(1)) be a doctor of medicine. The Under Secretary shall be'';

(2) in subsection (d)—

(A) by adding at the end of paragraph (1) the following: ''If at the time such a commission is established both the position of Deputy Under Secretary for Health and the position of Associate Deputy Under Secretary for Health are held by individuals who are doctors of medicine, the individual appointed by the President as Under Secretary for Health may be someone who is not a doctor of medicine. In any case, the Secretary shall develop, and shall furnish to the commission, specific criteria which the commission shall use in evaluating individuals for recommendations under paragraph (3).'';

(B) by redesignating paragraph (4) as paragraph (5);

(C) by inserting after the first sentence of paragraph (3) the following: ''In a case in which, pursuant to paragraph (1), the individual to be appointed as Under Secretary does not have to be a doctor of medicine, the commission may make recommendations without regard to the requirement in subsection (a)(2)(A) that the Under Secretary be appointed on the basis of demonstrated ability in the medical profession, but in such a case the commission shall accord a priority to the selection of a doctor of medicine over an individual who is not a doctor of medicine.''; and

(D) by designating the last two sentences of paragraph (3) as paragraph (4).

(b) DEPUTY AND ASSOCIATE DEPUTY UNDER SECRETARY.—Section 7306 of such title is amended—

(1) in subsection (a)—

(A) by striking out ''of the following:'' in the matter preceding paragraph (1) and inserting in lieu thereof ''such personnel as may be considered necessary for the purposes of this chapter. In appointing persons to positions in the Office, the Under Secretary shall consider the different types of health care services provided to veterans by the Veterans Health Administration and shall seek to ensure that appointments in the Office are made in such a manner that the Office is staffed so as to provide the Under Secretary with appropriate expertise in those services. The Office shall include the following:'';

(B) by inserting ''(except as provided in subsection (c))'' in paragraphs (1) and (2) after ''and who shall'';

(C) by striking out each paragraph after paragraph (2);

(2) by striking out subsection (b);

(3) by redesignating subsection (c) as subsection (b) and striking out ''In the case of'' in the second sentence and all that follows through ''such appointments'' and inserting in lieu thereof ''Such appointments''; and

(4) by inserting after subsection (b), as so redesignated, the following new subsection (c):

''(c)(1) If at the time of the appointment of the Deputy Under Secretary for Health under subsection (a)(1), both the position of Under Secretary for Health and the position of Associate Deputy Under Secretary for Health are held by individuals who are doctors of medicine, the individual appointed as Deputy Under Secretary for Health may be someone who is not a doctor of medicine.

''(2) If at the time of the appointment of the Associate Deputy Under Secretary for Health under subsection (a)(2), both the position of Under Secretary for Health and the position of Deputy Under Secretary for Health are held by individuals who are doctors of medicine, the individual appointed as Associate Deputy Under Secretary for Health may be someone who is not a doctor of medicine.''.

SEC. 12006. USE OF FUNDS RECOVERED FROM THIRD PARTIES.

(a) AUTHORIZED USES.—Section 1729(g) of title 38, United States Code, is amended by adding at the end of paragraph (3) the following new subparagraph:

''(C) Payments for (i) the purchase of needed medical equipment, and (ii) such other purposes as may be specifically authorized by law.''.

(b) AVAILABILITY OF FUNDS.—Such section is further amended by striking out paragraph (4) and inserting the following:

''(4)(A) Not later than December 1 of each year, there shall be set aside within the Fund a reserve to be used for the purposes described in paragraph (3)(C). The amount placed into the reserve each year shall be determined under subparagraph (B). No funds may be obligated under paragraph (3)(C) in excess of the funds in the reserve. The reserve shall remain available for obligation until expended.

''(B)(i) On December 1, 1993, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1993, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $538,600,000.

''(ii) On December 1, 1994, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1994, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $590,500,000.

''(iii) On December 1, 1995, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1995, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $646,000,000.

''(iv) On December 1, 1996, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1996, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $698,100,000.

''(v) On December 1, 1997, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1997, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $753,500,000.

''(C) If the amount to be set aside for the reserve for any year, as calculated under subparagraph (B), is less than zero, the amount added to the reserve for that year shall be zero.

''(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 the unobligated balance remaining in the Fund at the close of business on September 30 of the preceding year minus any part of such balance that the Secretary determines is necessary in order to enable the Secretary to defray, during the fiscal year in which the deposit is made, the expenses, payments, and costs described in paragraph (3), and the amount in the reserve described in paragraph (4).

''(6) The Secretary shall prescribe regulations for the allocation of amounts in the reserve under paragraph (4) to the medical centers of the Department for the purposes stated in paragraph (3)(C). Those regulations shall be designed to provide incentives to directors of medical centers to increase the recoveries and collections under this section by requiring that 20 percent of those amounts be made available each year directly to the medical centers at which such recoveries and collections have been at above average levels. The remaining 80 percent of those funds shall be allocated as the Secretary considers appropriate.''.

Subtitle B—Closure of Certain Facilities

SEC. 12101. CLOSURE OF SUPPLY DEPOTS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall close the Department of Veterans Affairs' supply depots specified in subsection (b).

(b) COVERED DEPOTS.—Subsection (a) applies to the supply depots of the Department of Veterans Affairs at the following locations:

(1) Somerville, New Jersey.

(2) Hines, Illinois.

(3) Bell, California.

(c) DEADLINE.—The Secretary shall complete the actions required by subsection (a) not later than September 30, 1995.

SEC. 12102. WAIVER OF OTHER PROVISIONS.

Sections 510(b) and 8121 of title 38, United States Code, do not apply to the actions required under this subtitle.

Subtitle C—Provision of Information From the Medicare and Medicaid Coverage Data Bank to the Department of Veterans Affairs

SEC. 12201. PROVISION OF DATA BANK INFORMATION TO DEPARTMENT OF VETERANS AFFAIRS.

(a) ADDITIONAL PURPOSE OF DATA BANK.—

(1) The heading to section 1144 of the Social Security Act is amended by striking ''**medicare and medicaid**'' and inserting ''**Health care**''.

(2) Subsection (a) of that section is amended—

(A) in the matter preceding paragraph (1), by striking ''Medicare and Medicaid'' and inserting ''Health Care'';

(B) by striking ''and'' at the end of paragraph (1);

(C) by substituting '', and'' for the period at the end of paragraph (2); and

(D) by adding at the end the following:

''(3) assist in the identification of, and the collection from, third parties responsible for payment for health care items and services furnished to veterans under chapter 17 of title 38, United States Code.''.

(b) DISCLOSURE OF DATA BANK INFORMATION TO SECRETARY OF VETERANS AFFAIRS.—Subsection (b)(2)(B) of that section is amended by inserting ''to the Secretary of Veterans Affairs and'' after ''Data Bank''.

Subtitle D—Veterans' Appeals Improvements

SEC. 12301. BOARD OF VETERANS' APPEALS.

(a) BOARD MEMBERS AND PERSONNEL.—Section 7101(a) of title 38, United States Code, is amended to read as follows:

''(a)(1) There is in the Department a Board of Veterans' Appeals (hereinafter in this chapter referred to as the 'Board'). The Board is under the administrative control and supervision of a Chairman directly responsible to the Secretary.

''(2) The members of the Board shall be the Chairman, a Vice Chairman, such number of Deputy Vice Chairmen as the Chairman may designate under subsection (b)(4), and such number of other members as may be found necessary to conduct hearings and consider and dispose of matters properly before the Board in a timely manner. The Board shall have such other professional, administrative, clerical, and stenographic personnel as are necessary to conduct hearings and consider and dispose of matters properly before the Board in a timely manner.''.

(b) ETHICAL AND LEGAL LIMITATIONS ON CHAIRMAN.—Section 7101(b)(1) of such title is amended by inserting after the first sentence the following: ''The Chairman shall be subject to the same ethical and legal limitations and restrictions concerning involvement in partisan political activities as apply to judges of the United States Court of Veterans Appeals.''.

(c) APPOINTMENT AND REMOVAL OF BOARD MEMBERS.—Section 7101(b) of such title is further amended—

(1) in paragraph (2)(A) by striking ''other members of the Board (including the Vice Chairman)'' and inserting ''Board members other than the Chairman'';

(2) in paragraph (2)(B) by striking ''paragraph'' and inserting ''subparagraph''; and

(3) by striking paragraph (4) and inserting the following:

''(4) The Secretary shall designate one Board member as Vice Chairman based upon recommendations of the Chairman. The Chairman may designate one or more Board members as Deputy Vice Chairmen. The Vice Chairman and any Deputy Vice Chairman shall perform such functions as the Chairman may specify. The Vice Chairman shall serve as Vice Chairman at the pleasure of the Secretary. Any Deputy Vice Chairman shall serve as Deputy Vice Chairman at the pleasure of the Chairman.''.

(d) ACTING BOARD MEMBERS.—Section 7101(c) of such title is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) The Chairman may from time to time designate one or more employees of the Department to serve as acting Board members.'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2) and in that paragraph by—

(A) striking ''temporary Board members designated under this subsection and the number of''; and

(B) striking ''section 7102(a)(2)(A)(ii) of this title'' and inserting ''paragraph (1)''.

(e) CHAIRMAN'S ANNUAL REPORT.—Section 7101(d)(2) of such title is amended—

(1) by striking out ''and'' at the end of subparagraph (D);

(2) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof ''; and''; and

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

''(F) the names of those employees of the Department designated under subsection (c)(1) to serve as acting Board members during that year and the number of cases each such acting Board member participated in during that year.''.

(e) CONFORMING AMENDMENTS.—Section 7101 of such title is further amended—

(1) in subsection (d)(3)(B), by striking ''section 7103(d)'' and inserting ''section 7101(a)(2)''; and

(2) in subsection (e), by striking ''a temporary or'' and inserting ''an''

SEC. 12302. DECISIONS BY THE BOARD.

(a) ACTION BY BVA THROUGH SECTIONS.—Sections 7102 and 7103 of title 38, United States Code, are amended to read as follows:

''§ 7102. Decisions by the Board

''A proceeding instituted before the Board shall be assigned to an individual member or a panel of members of the Board (other than the Chairman). A member or panel of members who are assigned a proceeding shall render a decision thereon, including any motion filed in connection therewith. The member or panel of members shall make a report under section 7104(d) of this title on any such determination, which report shall constitute the Board's final disposition of the proceeding. Decisions by a panel shall be made by a majority of the members of the panel.

''§ 7103. Reconsideration; correction of obvious errors

''(a) The decision of a member or panel of the Board under section 7102 of this title is final unless the Chairman orders reconsideration of the case. Such an order may be made on the Chairman's initiative or upon motion of the claimant.

''(b)(1) If the Chairman orders reconsideration in a case decided by a single member, the matter shall be referred to a panel of not less than three Board members, not including the member who rendered the initial decision, which shall render its decision after reviewing the entire record before the Board. Such decisions shall be made by a majority vote of the members of the panel and shall constitute the final decision of the Board.

''(2) If the Chairman orders reconsideration in a case decided by a panel of members, the matter shall be referred to an enlarged panel, not including the members of the panel which rendered the initial decision, which shall render its decision after reviewing the entire record before the Board. Such decisions shall be made by a majority vote of the members of the expanded panel and shall constitute the final decision of the Board.

''(c) The Board on its own motion may correct an obvious error in the record, without regard to whether there has been a motion or order for reconsideration.''.

(b) CLERICAL AMENDMENT.—The items relating to sections 7102 and 7103 in the table of sections at the beginning of chapter 71 are amended to read as follows:

''7102. Decisions by the Board.
''7103. Reconsideration; correction of obvious errors.''.

SEC. 12303. TECHNICAL CORRECTION.

Section 7104(a) of title 38, United States Code, is amended by striking out ''211(a)'' and inserting in lieu thereof ''511(a)''.

SEC. 12304. HEARINGS.

(a) IN GENERAL.—Section 7110 of title 38, United States Code, is amended to read as follows:

''§ 7110. Hearings

''(a) The Board shall decide any appeal only after affording the appellant an opportunity for a hearing.

''(b) A hearing docket shall be maintained and formal recorded hearings shall be held by such member or members of the Board as the Chairman may designate. Such member or members designated by the Chairman to conduct the hearing will participate in making the final determination in the claim.

''(c)(1) An appellant may request a hearing before the Board at either its principal location or at a regional office of the Department. A hearing held at a regional office shall (except as provided in paragraph (2)) be scheduled for hearing in the order in which the requests for hearing in that area are received by the Department at the place specified by the Department for the filing of requests for those hearings.

''(2) In a case in which the Secretary is aware that the appellant is seriously ill or is under severe financial hardship, a hearing may be scheduled at a time earlier than would be provided under paragraph (1).

''(d) At the request of the Chairman, the Secretary may provide suitable facilities and equipment to the Board or other components of the Department to enable an appellant located at a facility within the area served by a regional office to participate, through voice transmission, or picture and voice transmission, by electronic or other means, in a hearing with a Board member or members sitting at the Board's principal location. When such facilities and equipment are available, the Chairman may afford the appellant an opportunity to participate in a hearing before the Board through the use of such facilities and equipment in lieu of a hearing held by personally appearing before a Board member or members as provided in subsection (c). Any such hearing shall be conducted in the same manner as, and shall be considered the equivalent of, a personal hearing. If the appellant declines to participate in a hearing through the use of such facilities and equipment, the opportunity of the appellant to a hearing as provided in subsection (c) shall not be affected.''.

(b) CLERICAL AMENDMENT.—The item relating to section 7110 in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

''7110. Hearings.''.

SEC. 12305. ELIMINATION OF REQUIREMENT FOR ANNUAL INCOME QUESTIONNAIRES.

Section 1506 of title 38, United States Code, is amended—

(1) in paragraph (2), by striking out ''shall'' and inserting in lieu thereof ''may''; and

(2) in paragraph (3), by striking out ''file a revised report'' and inserting in lieu thereof ''notify the Secretary''.

TITLE XIII—HUMAN RESOURCE MANAGEMENT

SEC. 13001. FEDERAL WORKFORCE TRAINING.

(a) IN GENERAL.—Chapter 41 of title 5, United States Code, is amended—

(1) in section 4101(4) by striking ''fields'' and all that follows through the semicolon and inserting ''fields which will improve individual and organizational performance and assist in achieving the agency's mission and performance goals;'';

(2) in section 4103—

(A) in subsection (a)—

(i) by striking ''In'' and all that follows through ''maintain'' and inserting ''In order to assist in achieving an agency's mission and performance goals by improving employee and organizational performance, the head of each agency, in conformity with this chapter, shall establish, operate, maintain, and evaluate'';

(ii) by striking ''and'' at the end of paragraph (2);

(iii) by redesignating paragraph (3) as paragraph (4); and

(iv) by inserting after paragraph (2) the following:

''(3) provide that information concerning the selection and assignment of employees for training and the applicable training limitations and restrictions be made available to employees of the agency; and''; and

(B) in subsection (b)—

(i) in paragraph (1) by striking ''determines'' and all that follows through the period and inserting ''determines that such training would be in the interests of the Government.''; and

(ii) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(3) in section 4105—

(A) in subsection (a) by striking ''(a)''; and

(B) by striking subsections (b) and (c);

(4) by repealing section 4106;

(5) in section 4107—

(A) by amending the catchline to read as follows:

''§ 4107. Restriction on degree training'';

(B) by striking subsections (a) and (b) and redesignating subsections (c) and (d) as subsections (a) and (b), respectively;

(C) by amending subsection (a) (as so redesignated)—

(i) by striking ''subsection (d)'' and inserting ''subsection (b)''; and

(ii) by striking ''by, in, or through a non-Government facility''; and

(D) by amending paragraph (1) of subsection (b) (as so redesignated) by striking ''subsection (c)'' and inserting ''subsection (a)'';

(6) in section 4108(a) by striking ''by, in, or through a non-Government facility under this chapter'' and inserting ''for more than a minimum period prescribed by the head of the agency'';

(7) in section 4113(b)—

(A) in the first sentence by striking ''annually to the Office,'' and inserting ''to the Office, at least once every 3 years, and''; and

(B) by striking the matter following the first sentence and inserting the following: ''The report shall set forth—

''(1) information needed to determine that training is being provided in a manner which is in compliance with applicable laws intended to protect or promote equal employment opportunity; and

''(2) information concerning the expenditures of the agency in connection with training and such other information as the Office considers appropriate.'';

(8) by repealing section 4114; and

(9) in section 4118—

(A) in subsection (a)(7) by striking ''by, in, and through non-Government facilities'';

(B) by striking subsection (b); and

(C) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Title 5, United States Code, is amended—

(1) in section 3381(e) by striking ''4105(a),'' and inserting ''4105,''; and

(2) in the analysis for chapter 41—

(A) by repealing the items relating to sections 4106 and 4114; and

(B) by amending the item relating to section 4107 to read as follows:

''4107. Restriction on degree training.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall become effective on the date of enactment of this Act.

SEC. 13002. SES ANNUAL LEAVE ACCUMULATION.

(a) Effective on the last day of the last applicable pay period beginning in calendar year 1993, subsection (f) of section 6304 of title 5, United States Code, is amended to read as follows:

''(f)(1) This subsection applies with respect to annual leave accrued by an individual while serving in a position in—

''(A) the Senior Executive Service;

''(B) the Senior Foreign Service;

''(C) the Defense Intelligence Senior Executive Service;

''(D) the Senior Cryptologic Executive Service; or

''(E) the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service.

''(2) For purposes of applying any limitation on accumulation under this section with respect to any annual leave described in paragraph (1)—

''(A) '30 days' in subsection (a) shall be deemed to read '90 days'; and

''(B) '45 days' in subsection (b) shall be deemed to read '90 days'.''.

(b) Notwithstanding the amendment made by subsection (a), in the case of an employee who, on the effective date of subsection (a), is subject to subsection (f) of section 6304 of title 5, United States Code, and who has to such employee's credit annual leave in excess of the maximum accumulation otherwise permitted by subsection (a) or (b) of section 6304 (determined applying the amendment made by subsection (a)), such excess annual leave shall remain to the credit of the employee and be subject to reduction, in the same manner as provided in subsection (c) of section 6304.

TITLE XIV—REINVENTING SUPPORT SERVICES

SEC. 14001. SHORT TITLE.

This title may be cited as the ''Government Information Dissemination and Printing Improvement Act of 1993''.

SEC. 14002. TRANSFER OF FUNCTIONS.

(a) SUPERINTENDENT OF DOCUMENTS.—The position of Superintendent of Documents and all functions of the position of Superintendent of Documents under title 44, United States Code, or any other provision of law are transferred to the Library of Congress and shall be carried out by the Superintendent of Documents under the direction of the Librarian of Congress. The Superintendent of Documents shall be appointed by, and serve at the pleasure of, the Librarian of Congress. Until otherwise provided by law, on and after the effective date of the transfer under this subsection, the employees under the Superintendent of Documents who are transferred shall be treated, for purposes of the laws governing labor-management relations, in the same manner as such employees were treated before the effective date of such transfer.

(b) REVOCATION OF CHARTERS.—All printing plant charters authorized under section 501 of title 44, United States Code, are revoked.

(c) EFFECTIVE DATE.—The transfer under subsection (a) shall take effect one year after the date of the enactment of this title. The revocation under subsection (b) shall take effect 2 years after the date of the enactment of this title.

SEC. 14003. GOVERNMENT PUBLICATIONS TO BE AVAILABLE THROUGHOUT THE GOVERNMENT.

All Government publications shall be available throughout the Government to any department, agency, or entity of the Government for use or redissemination.

SEC. 14004. INVENTORY AND FURNISHING OF GOVERNMENT PUBLICATIONS.

Each department, agency, and other entity of the Government shall—

(1) establish and maintain a comprehensive inventory of its Government publications;

(2) make such inventory available through the electronic directory under chapter 41 of title 44, United States Code; and

(3) in the form and manner prescribed by the Superintendent of Documents, furnish its Government publications to the Superintendent of Documents.

SEC. 14005. ADDITIONAL RESPONSIBILITIES OF THE PUBLIC PRINTER.

(a) IN GENERAL.—The Public Printer shall, with respect to the executive branch of the Government and the judicial branch of the Government—

(1) use all necessary measures to remedy neglect, delay, duplication, and waste in the public printing and binding of Government publications, including the reduction and elimination of internal printing and high-speed duplicating capacities of departments, agencies, and entities;

(2) prescribe Government publishing standards, which, to the greatest extent practicable, shall be consistent with the United States Government Printing Office Style Manual;

(3) prescribe Government procurement and manufacturing requirements for printing paper and writing paper, which, to the greatest extent practicable, shall be consistent with Government Paper Specification Standards;

(4) authorize the acquisition and transfer of equipment requisitioned by publishing facilities authorized under section 501 of title 44, United States Code;

(5) authorize the disposal of such equipment pursuant to section 312 of title 44, United States Code; and

(6) establish policy for the acquisition of printing, which, to the greatest extent practicable, shall be consistent with (A) Printing Procurement Regulation (GPO Publication 305.3), (B) Government Printing and Binding Regulations (JCP No. 26), and (C) Printing Procurement Department Instruction (PP304.1B).

(b) POLICY STANDARDS.—The policy referred to in subsection (a)(6) shall be formulated to maximize competitive procurement from the private sector. Government in-house printing and duplicating operations authorized under section 501 of title 44, United States Code, or otherwise authorized by law, may be used if they provide printing at the lowest cost to the Government, taking into consideration the total expense of production, materials, labor, equipment, and

general and administrative expense, including all levels of overhead.

SEC. 14006. ADDITIONAL RESPONSIBILITIES OF THE SUPERINTENDENT OF DOCUMENTS.

(a) GOVERNMENT PUBLICATIONS TO BE FURNISHED TO THE SUPERINTENDENT OF DOCUMENTS.—If a department, agency, or other entity of the Government publishes a Government publication, the head of the department, agency, or entity shall furnish the Government publication to the Superintendent of Documents not later than the date of release of the material to the public.

(b) DISSEMINATION OR REPUBLICATION.—In addition to any other dissemination provided for by law, the Superintendent of Documents shall disseminate or republish Government publications, if, as determined by the Superintendent, the dissemination by the department, agency, or entity of the Government is inadequate. The Superintendent shall have authority to carry out the preceding sentence by appropriate means, including the dissemination and republication of Government publications furnished under subsection (a), with the cost of dissemination and republication to be borne by the department, agency, or entity involved.

(c) COST.—The cost charged to the public by the Superintendent of Documents under subsection (b) for any Government publication (whether such Government publication is made available to the public by a department, agency, or entity of the Government, or by the Superintendent of Documents) may include the incremental cost of dissemination, but may not include any profit.

SEC. 14007. DEPOSITORY LIBRARIES.

In addition to any other distribution provided for by law, the Superintendent of Documents shall make Government publications available to designated depository libraries and State libraries. The Superintendent shall have authority to carry out the preceding sentence by appropriate means, including the dissemination and republication of Government publications furnished under section 14006(a), with the cost of dissemination and republication to be borne by the department, agency, or entity involved.

SEC. 14008. DEFINITIONS.

As used in this title—

(1) the term ''Government publication'' means any informational matter that is published at Government expense, or as required by law; and

(2) the term ''publish'' means, with respect to informational matter, make available for dissemination.

TITLE XV—STREAMLINING MANAGEMENT CONTROL

SEC. 15001. AUTHORITY TO INCREASE EFFICIENCY IN REPORTING TO CONGRESS.

(a) PURPOSE.—The purpose of this title is to improve the efficiency of Executive branch performance in implementing statutory requirements for reports to Congress and its committees. Examples of improvements in efficiency intended by this title are the elimination or consolidation of duplicative or obsolete reporting requirements and adjustments to deadlines that will provide for more efficient workload distribution or improve the quality of reports.

(b) AUTHORITY OF THE DIRECTOR.—The Director of the Office of Management and Budget may publish annually in the President's Budget his recommendations for consolidation, elimination, or adjustments in frequency and due dates of statutorily required periodic reports to the Congress or its committees. For each recommendation, the Director shall provide an individualized statement of the reasons that support the recommendation. In addition, for each report for which a recommendation is made, the Director shall state with specificity the exact consolidation, elimination, or adjustment in frequency or due date that is recommended. If the Director's recommendations are approved by law, they shall take effect.

(c) The Director's recommendations shall be consistent with the purpose stated in subsection (a).

(d) Prior to the publication of the recommendations authorized in subsection (b), the Director or his designee shall consult with the appropriate congressional committees concerning the recommendations.

TITLE XVI—FINANCIAL MANAGEMENT

SEC. 16001. SHORT TITLE.

This title may be cited as the ''Federal Financial Management Act of 1993''.

SEC. 16002. ELECTRONIC PAYMENTS.

(a) Section 3332 of title 31, United States Code, is amended to read as follows:

''§ 3332. Required direct deposit

''(a)(1) Notwithstanding any other provision of law, all Federal wage, salary, and retirement payments shall be paid to recipients of such payments by electronic funds transfer, unless another method has been determined by the Secretary of the Treasury to be appropriate.

''(2) Each recipient of Federal wage, salary, or retirement payments shall designate one or more financial institutions or other authorized payment agents and provide the payment certifying or authorizing agency information necessary for the recipient to receive electronic funds transfer payments through each institution so designated.

''(b)(1) The head of each agency shall waive the requirements of subsection (a) of this section for a recipient of Federal wage, salary, or retirement payments authorized or certified by the agency upon written request by such recipient.

''(2) Federal wage, salary, or retirement payments shall be paid to any recipient granted a waiver under paragraph (1) of this subsection by any method determined appropriate by the Secretary of the Treasury.

''(c)(1) The Secretary of the Treasury may waive the requirements of subsection (a) of this section for any group of recipients upon request by the head of an agency under standards prescribed by the Secretary of the Treasury.

''(2) Federal wage, salary, or retirement payments shall be paid to any member of a group granted a waiver under paragraph (1) of this subsection by any method determined appropriate by the Secretary of the Treasury.

''(d) This section shall apply only to recipients of Federal wage or salary payments who begin to receive such payments on or after January 1, 1995, and recipients of Federal retirement payments who begin to receive such payments on or after January 1, 1995.

''(e) The crediting of the amount of a payment to the appropriate account on the books of a financial institution or other authorized payment agent designated by a payment recipient under this section shall constitute a full acquittance to the United States for the amount of the payment.''.

(b) The table of sections for chapter 33 of title 31, United States Code, is amended by amending the item for section 3332 to read:

''3332. Required direct deposit.''.

SEC. 16003. FRANCHISE FUNDS AND INNOVATION FUNDS.

(a) Title 31, United States Code, is amended by adding, after section 1537, a section 1538, as follows:

''§ 1538. Franchise funds

''(a) There is hereby authorized to be established a franchise fund in any executive agency which does not have such a fund which shall be available, without further appropriation action by the Congress, for expenses and equipment necessary for the maintenance and operations of such administrative services as the head of the agency, with the approval of the Office of Management and Budget, determines may be performed more advantageously on a centralized basis.

''(b)(1) The fund shall consist of the fair and reasonable value of inventories, equipment, and other assets and inventories on order pertaining to the services to be provided by the fund as are transferred by the head of the agency to the fund less related liabilities and unpaid obligations together with any appropriations made for the purpose of providing capital.

''(2) For the first fiscal year a fund is in operation and each fiscal year thereafter, an amount not to exceed 4 percent of the total income of the fund may be retained in the fund, to remain available until expended, to be used only for the acquisition of capital equipment and for the improvement and implementation of agency financial management and related support systems.

''(3) For the first three fiscal years a fund is in operation, up to 50 percent of the unobligated balances of funds provided in annual appropriations available at the end of the fiscal year to the agency for salaries and expenses may be transferred into the fund no later than the end of the succeeding fiscal year.

''(c) The fund shall be reimbursed or credited with payments, including advance payments, from applicable appropriations and funds of the agency, other Federal agencies, and other sources authorized by law for supplies, materials, and services at rates which will recover the expenses of operations including accrued leave, depreciation of fund plant and equipment, and an amount necessary to maintain a reasonable operating reserve, as determined by the head of the agency.

''(d)(1) In the third fiscal year after the fund is established, and each year thereafter, any Federal entity seeking to obtain any service financed through the fund that is not inherently governmental in nature must not be precluded from obtaining such service from one or more other sources, either governmental or non-governmental, in addition to the source finance through the funds.

''(2) If, after the end of the third fiscal year after a fund is established, any Federal entity seeking to obtain any service financed through the fund that is not inherently governmental in nature is precluded from obtaining such service from one or more other sources, either governmental or non-governmental, in addition to the source financed through the fund, the fund shall be canceled.''.

(b) The table of sections for subchapter III of chapter 15 of title 31, United States Code, is amended by adding, after the item for section 1537, the following new item:

''1538. Franchise funds.''.

(c) Title 31, United States Code, is amended by adding, after section 1538, a section 1539, as follows:

''§ 1539. Innovation funds

''(a) There is hereby authorized to be established an innovation fund in any executive agency which does not have such a fund, which shall be available without further appropriation action by the Congress.

''(b) The purpose of the fund is to provide a self-sustaining source of financing for agencies to invest in projects designed to produce measurable improvements in agency efficiency and significant taxpayer savings. Amounts available in the fund may be borrowed by the agency for such projects, subject to subsection (e).

''(c) Each agency that establishes an innovation fund will develop an investment

project selection process, including specific investment criteria such as return on investment, payback period, extent of matching or in-kind support (including such support from other Federal agencies), technical merit, and budget justification.

''(d) For the first three fiscal years a fund is in operation, up to 50 percent of the unobligated balances of funds provided in annual appropriations available at the end of the fiscal year to the agency (other than appropriations for salaries and expenses) may be transferred to and merged with the innovation fund to be available to make loans to agency components for projects designed to enhance productivity and generate cost savings, provided that such transfers occur no later than the end of the succeeding fiscal year.

''(e)(1) Any amounts borrowed from the fund by an agency component to finance a project selected under the process described in subsection (c) shall be repaid to the fund at the times specified in the repayment schedule agreed upon at the time the loan is made.

''(2) Interest on loans made by the fund shall be paid to the fund at the rate on marketable Treasury securities of similar maturity at the time the loan is made.

''(3) Repayments shall be made from the accounts anticipated to receive the greatest long-term benefit from the project at the time the loan is made.

''(4) Repayments to the fund shall take priority over any other obligation of payments of an account designated to make repayments under paragraph (3) of this subsection.''.

(d) The table of sections for subchapter III of chapter 15 of title 31, United States Code, is amended by adding, after the item for section 1538, the following new item:

''1539. Innovation funds.''.

SEC. 16004. SIMPLIFICATION OF MANAGEMENT REPORTING PROCESS.

(a) To improve the efficiency of Executive branch performance in implementing statutory requirements for general management and financial management reports to the Congress and its committees, the Director of the Office of Management and Budget may publish annually in the President's Budget his recommendations for consolidation, elimination, or adjustments in frequency and due dates of statutorily required periodic reports of agencies to the Office of Management and Budget or the President and of agencies or the Office of Management and Budget to the Congress under any laws for which the Office of Management and Budget has general management or financial management responsibility. For each recommendation, the Director shall provide an individualized statement of the reasons that support the recommendation. In addition, for each report for which a recommendation is made, the Director shall state with specificity the exact consolidation, elimination, or adjustment in frequency or due date that is recommended. If the Director's recommendations are approved by law, they shall take effect.

(b) The Director's recommendations shall be consistent with the purpose stated in subsection (a).

(c) Prior to the publication of the recommendations authorized in subsection (a), the Director or his designee shall consult with the appropriate congressional committees, including the House Committee on Government Operations and the Senate Committee on Governmental Affairs, concerning the recommendations.

SEC. 16005. ANNUAL FINANCIAL REPORTS.

(a) Section 3515 of title 31, United States Code, is amended to read as follows:

''§ 3515. Financial statements of agencies

''(a) Not later than March 1 of 1997 and each year thereafter, the head of each executive agency identified in section 901(b) of this title shall prepare and submit to the Director of the Office of Management and Budget an audited financial statement for the preceding fiscal year, covering all accounts and associated activities of each office, bureau, and activity of the agency.

''(b) Each audited financial statement of an executive agency under this section shall reflect—

''(1) the overall financial position of the offices, bureaus, and activities covered by the statement, including assets and liabilities thereof; and

''(2) results of operations of those offices, bureaus, and activities.

''(c) The Director of the Office of Management and Budget shall prescribe the form and content of the financial statements of executive agencies under this section, consistent with applicable accounting principles, standards, and requirements.

''(d) The Director of the Office of Management and Budget may waive the application of all or part of subsection (a).

''(e) Not later than March 1 of 1996, the head of each Executive agency identified in section 901(b) of this title and designated by the Director of the Office of Management and Budget shall prepare and submit to the Director of the Office of Management and Budget an audited financial statement for the preceding fiscal year, covering all accounts and associated activities of each office, bureau, and activity of the agency.

''(f) Not later than March 31 of 1994, 1995, and, for Executive agencies not designated by the Director of the Office of Management and Budget under subsection (e), 1996, the head of each Executive agency identified in section 901(b) of this title shall prepare and submit to the Director of the Office of Management and Budget a financial statement for the preceding fiscal year, covering—

''(1) each revolving fund and trust fund of the agency; and

''(2) to the extent practicable, the accounts of each office, bureau, and activity of the agency which performed substantial commercial functions during the preceding fiscal year.

''(g) for purposes of subsection (f), the term 'commercial functions' includes buying and leasing of real estate, providing insurance, making loans and loan guarantees, and other credit programs and any activity involving the provision of a service or thing for which a fee, royalty, rent, or other charge is imposed by an agency for services and things of value it provides.''.

(b) Subsection 3521(f) of title 31, United States Code, is amended to read as follows:

''(f)(1) For each audited financial statement required under subsections (a) and (e) of section 3515 of this title, the person who audits the statement for purpose of subsection (e) of this section shall submit a report on the audit to the head of the agency. A report under this subsection shall be prepared in accordance with generally accepted government auditing standards.

''(2) Not later than June 30 following the fiscal year for which a financial statement is submitted under subsection (f) of section 3515 of this title, the person who audits the statement for purpose of subsection (e) of this section shall submit a report on the audit to the head of the agency. A report under this subsection shall be prepared in accordance with generally accepted government auditing standards.''.

SEC. 16006. AUTHORIZATION OF APPROPRIATIONS FOR ENHANCING DEBT COLLECTION.

(a) Title 31, United States Code, is amended by adding, after section 3720A, a section 3720B, as follows:

''§ 3720B. Authorization of appropriations for enhancing debt collection

''(a) To the extent and in the amounts provided in advance in appropriations acts—

''(1) an amount not to exceed 1 percent of the delinquent debts collected for a program in one fiscal year is authorized to be credited in the following fiscal year to a special fund for such program;

''(2) an amount not to exceed 10 percent of any sustained annual increase in delinquent debt collections, as defined by the Director of the Office of Management and Budget, is authorized to be credited to a special fund for such program; and

''(3) from amounts credited under paragraphs (1) and (2), such sums as may be necessary are authorized to be appropriated for the improvement of that program's debt collection activities, including, but not limited to, account and loan servicing, delinquent debt collection and asset disposition.

''(b) Debt is defined as delinquent under standards prescribed or to be prescribed by the Secretary of the Treasury.

''(c) For direct loan and loan guarantee programs subject to Title V of the Congressional Budget Act of 1974, amounts credited in accordance with section (a) 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.

''(d) This section shall apply only to collection of debts—

''(1) for a program not within the Department of Justice; and

''(2) not involving the assistance of the Department of Justice.''.

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

''3720B. Authorization of appropriations for enhancing debt collection.''.

SEC. 16007. CONTRACTS FOR COLLECTION SERVICES.

(a) Subsection 3701(d) of Title 31, United States Code, is amended—

(1) by striking ''and 3716–3719'' and inserting in lieu thereof '', 3716, and 3717''; and

(2) by striking '', the Social Security Act (42 U.S.C. 301 et seq.),''.

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

''(e) Section 3718 of this title does not apply to a claim or debt under, or to an amount payable under, the Social Security Act (42 U.S.C. 301 et seq.) owed by a person receiving benefits under that Act or to a claim or debt under, or to an amount payable under, title 26 of the United States Code.''.

SEC. 16008. NOTIFICATION TO AGENCIES OF DEBTORS' MAILING ADDRESSES.

Section 3720A of title 31, United States Code is amended by striking ''the individual's home address.'' at the end of subsection (c) and inserting the following: ''the person's mailing address. Provision of this information is authorized by section 6103(m)(2) of the Internal Revenue Code (26 U.S.C. 6103(m)(2)).''.

SEC. 16009. CONTRACTS FOR COLLECTION SERVICES.

Subparagraph 3718(B)(1)(A) of title 31, United States Code, is amended by striking the following: ''If the Attorney General makes a contract for legal services to be furnished in any judicial district of the United States under the first sentence of this paragraph, the Attorney General shall use his best efforts to obtain, from among attorneys regularly engaged in the private practice of law in such district, at least four such contracts with private individuals or firms in such district.''.

SEC. 16010. ADJUSTING CIVIL MONETARY PENALTIES FOR INFLATION.

The Federal Civil Penalties Inflation Adjustment Act of 1990 is amended by—

(1) amending section 4 to read as follows: ''The head of each agency shall—

''(1) by regulation, no later than September 30, 1994, and at least once every 4 years thereafter, 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 and publish each such adjustment in the Federal Register; and

''(2) provide a report to the Secretary of the Treasury by November 15 of each year on all penalties adjusted during the preceding fiscal year.'';

(2) amending subsection 5(a) by striking ''The adjustment described under paragraphs (4) and (5)(A) of section 4'' and inserting ''The inflation adjustment''; and

(3) adding, after section 6, a section 7, as follows: ''Section 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.''.

TITLE XVII—RESCISSIONS OF BUDGET AUTHORITY

SEC. 17001. SHORT TITLE.

This title may be cited as the ''Fiscal Year 1994 Rescission Act''.

Subtitle A—Department of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH SERVICE

(RESCISSION AND TRANSFER OF FUNDS)

Of the funds made available under this heading in Public Law 103–111 and subsequently transferred to the Human Nutrition Information Service pursuant to Secretary's Memorandum No. 1020–39, dated September 30, 1993, $1,000,000 are rescinded and the remaining funds are transferred to the Agricultural Research Service: *Provided*, That funds appropriated by Public Law 103–111 for the functions of the former Human Nutrition Information Service shall be made available only to the Agricultural Research Service.

COOPERATIVE STATE RESEARCH SERVICE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111, $14,279,000 are rescinded, including $4,375,000 for contracts and grants for agricultural research under the Act of August 4, 1965, as amended; $7,000,000 for competitive research grants; and $2,904,000 for necessary expenses of the Cooperative State Research Service.

BUILDINGS AND FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111, $2,897,000 are rescinded.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

(RESCISSION AND TRANSFER OF FUNDS)

Of the funds made available under this heading in Public Law 103–111 and subsequently transferred to the Agricultural Cooperative Service pursuant to Secretary's Memorandum No. 1020–39, dated September 30, 1993, $100,000 are rescinded and the remaining funds are transferred to the Rural Development Administration.

PAYMENTS TO STATES AND POSSESSIONS

(TRANSFER OF FUNDS)

Of the funds made available under this heading in Public Law 103–111 and subsequently transferred to the Agricultural Cooperative Service pursuant to Secretary's Memorandum No. 1020–39, dated September 30, 1993, $435,000 are transferred to the Rural Development Administration.

FARMERS HOME ADMINISTRATION

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111 for the cost of direct section 502 loans, $35,000,000 are rescinded.

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111 for the cost of direct loans, $20,000,000 are rescinded.

RURAL WATER AND WASTE DISPOSAL GRANTS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111, $25,000,000 are rescinded.

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111, $12,167,000 are rescinded.

FOOD AND NUTRITION SERVICE

COMMODITY SUPPLEMENTAL FOOD PROGRAM

(RESCISSION)

Of the funds made available under this heading in Public Law 102–341, $12,600,000 are rescinded.

FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

(RESCISSION)

Of the funds made available under this heading in Public Law 102–341, $6,000,000 are rescinded.

PUBLIC LAW 480 PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111 for commodities supplied in connection with title III, $20,000,000 are rescinded.

Subtitle B—Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT REVOLVING FUND

(RESCISSION)

Of the unobligated balances in the Economic Development Revolving Fund, $29,000,000 are rescinded.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

CONSTRUCTION

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–121, $3,000,000 are rescinded.

DEPARTMENT OF JUSTICE

ADMINISTRATIVE PROVISION

For fiscal year 1994 only, the Director of the Bureau of Justice Assistance, upon good cause shown, may waive the provisions of section 504(f) of the Omnibus Crime Control and Safe Streets Act of 1968 for projects located in communities covered under a Presidentially declared disaster pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

BUYING POWER MAINTENANCE

(RESCISSION)

Of the balances in the Buying Power Maintenance account, $8,800,000 are rescinded.

NEW DIPLOMATIC POSTS

(RESCISSION)

Of the funds made available for the United States Information Agency under this heading in Public Law 102–395, $1,000,000 are rescinded.

ADMINISTRATIVE PROVISION

Subject to enactment of legislation authorizing the Secretary of State to charge a fee or surcharge for processing machine readable non-immigrant visas and machine readable combined border crossing identification cards and non-immigrant visas, the Secretary of State may collect not to exceed $20,000,000 in additional fees or surcharges during fiscal year 1994 pursuant to such authority: *Provided*, That such additional fees shall be deposited as an offsetting collection to the Department of State, Administration of Foreign Affairs, ''Diplomatic and Consular Programs'' appropriation account and such fees shall remain available until expended: *Provided further*, That such collections shall be available only to modernize, automate, and enhance consular services and counterterrorism activities of the Department of State, to include the development and installation of automated visa and namecheck information systems, secure travel documents, worldwide telecommunications systems, and management systems to permit sharing of critical information regarding visa applicants and help secure America's borders.

THE JUDICIARY

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

DEFENDER SERVICES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–121, $3,000,000 are rescinded.

RELATED AGENCIES

BOARD FOR INTERNATIONAL BROADCASTING

ISRAEL RELAY STATION

(RESCISSION)

Of the funds made available under this heading, $1,700,000 are rescinded.

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

(INCLUDING RESCISSION)

Of the funds made available under this heading in Public Law 103–121, $1,177,000 are rescinded.

Notwithstanding the provisions of this or any other Act, not to exceed $2,000,000 of the funds made available under this heading in Public Law 103–121 may be used to carry out projects involving security construction and related improvements for Agency facilities not physically located together with Department of State facilities abroad: *Provided*, That such funds may remain available until expended.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–121, $850,000 are rescinded.

RADIO CONSTRUCTION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–121, $2,000,000 are rescinded.

Subtitle C—Energy and Water Development

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–377 and prior

years' Energy and Water Development Appropriations Acts, $24,970,000 are rescinded.

CONSTRUCTION, GENERAL

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–377 and prior years' Energy and Water Development Appropriations Acts, $97,319,000 are rescinded.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

CONSTRUCTION PROGRAM

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–377 and prior years' Energy and Water Development Appropriations Acts, $16,000,000 are rescinded.

DEPARTMENT OF ENERGY

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–126, $97,300,000 are rescinded: *Provided*, That the reduction shall be taken as a general reduction, applied to each program equally, so as not to eliminate or disproportionately reduce any program, project, or activity in the Energy Supply, Research and Development Activities account as included in the reports accompanying Public Law 103–126.

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–377 and prior years' Energy and Water Development Appropriations Acts, $42,000,000 are rescinded.

Subtitle D—Foreign Operations, Export Financing, and Related Agencies

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

(RESCISSION)

Of the unexpended or unobligated balances made available for payment to the International Bank for Reconstruction and Development for the United States share of the paid-in share portion of the increases in capital stock for the General Capital Increase, $27,910,500 is rescinded.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

Notwithstanding Public Law 103–87, the United States Governor of the International Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of the increases in capital stock in an amount not to exceed $902,439,500.

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

(RESCISSION)

Of the unexpended or unobligated balances made available for payment to the Inter-American Development Bank by the Secretary of the Treasury, for the paid-in share portion of the United States share of the increase in capital stock $16,063,134 is rescinded.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

Notwithstanding Public Law 103–87, the United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of the increases in capital stock in an amount not to exceed $1,563,875,725.

CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

(RESCISSION)

Of the unexpended or unobligated balances made available for payment to the Asian Development Bank by the Secretary of the Treasury, for the paid-in share portion of the United States share of the increase in capital stock $13,026,366 is rescinded.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

Notwithstanding Public Law 103–87, the United States Governor of the Asian Development Bank may not subscribe in fiscal year 1994 to the callable capital portion of the United States share of any increases in capital stock.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

DEVELOPMENT ASSISTANCE

(RESCISSION)

Of the unexpended or unobligated balances (including earmarked funds) made available for fiscal years 1987 through 1993 to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961, as amended, $160,000,000 is rescinded: *Provided*, That funds rescinded under this paragraph are to be derived from the following countries in the following amounts: Guatemala, $8,000,000; Honduras, $5,000,000; India, $10,000,000; Indonesia, $15,000,000; Morocco, $10,000,000; Pakistan, $15,000,000; Peru, $5,000,000; Philippines, $10,000,000; Thailand, $10,000,000; and Yemen, $5,000,000: *Provided further*, That $10,000,000 of the funds rescinded under this paragraph are to be derived from non-country specific, centrally funded activities: *Provided further*, That $57,000,000 of the funds rescinded under this paragraph are to be derived from prior year deobligated funds.

ECONOMIC SUPPORT FUND

(RESCISSION)

Of the unexpended or unobligated balances of funds (including earmarked funds) made available for fiscal years 1987 through 1993 to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, $90,000,000 is rescinded: *Provided*, That funds rescinded under this paragraph are to be derived from the following countries in the following amounts: Kenya, $2,000,000; Liberia, $797,000; Oman, $18,000,000; Peru, $11,000,000; Philippines, $10,200,000; and Somalia, $3,003,000: *Provided further*, That $45,000,000 of the funds rescinded under this paragraph are to be derived from the Private Sector Power Project (No. 391–0494) for Pakistan.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

(RESCISSION)

Of the grant funds made available (including earmarked funds) under this heading in Public Law 102–391 and prior appropriations Acts, $66,000,000 is rescinded: *Provided*, That funds rescinded under this paragraph are to be derived from the following countries in the following amounts: Benin, $3,000; Cameroon, $161,000; Central African Republic, $59,000; Congo, $7,000; Cote D' Ivoire, $128,000; Equatorial Guinea, $86,000; Gabon, $3,000; Ghana, $600,000; Guatemala, $1,563,000; Guinea, $499,000; Kenya, $9,000,000; Liberia, $15,000; Madagascar, $505,000; Mali, $3,000; Malawi, $326,000; Mauritania, $300,000; Morocco, $8,000,000; Organization of American States, $6,000; Oman, $3,100,000; Pakistan, $8,108,000; Peru, $6,533,000; Philippines, $5,000,000; Rwanda, $250,000; Sao Tome & Principe, $228,000; Somalia, $4,349,000; Sudan, $8,609,000; Thailand, $1,384,000; Togo, $19,000; Tunisia, $4,100,000; Uganda, $100,000; Yemen, $2,241,000; Zambia, $100,000; Zaire, $455,000; and Zimbabwe, $160,000.

Subtitle E—Department of the Interior and Related Agencies

DEPARTMENT OF THE INTERIOR

U.S. FISH AND WILDLIFE SERVICE

CONSTRUCTION AND ANADROMOUS FISH

(RESCISSION)

Of the funds appropriated under this head in Public Law 100–446 and Public Law 102–154, $3,874,000 are rescinded.

DEPARTMENT OF THE TREASURY

BIOMASS ENERGY DEVELOPMENT

(RESCISSION)

Of the funds available under this head, $16,275,000 are rescinded.

DEPARTMENT OF ENERGY

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Section 303 of Public Law 97–257, as amended, is repealed.

The seventh proviso under the head ''Clean Coal Technology'' in Public Law 101–512, and the seventh proviso under the head ''Clean Coal Technology'' in Public Law 102–154, both concerning Federal employment, are repealed.

Subtitle F—Departments of Labor, Health and Human Services, Education, and Related Agencies

DEPARTMENT OF LABOR

(RESCISSION)

Of the amounts appropriated in Public Law 103–112 for salaries and expenses and administrative costs of the Department of Labor, $4,000,000 are rescinded.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

(RESCISSION)

Of the amounts appropriated in Public Law 103–112 for salaries and expenses and administrative costs of the Department of Health and Human Services (except the Social Security Administration), $37,500,000 are rescinded.

SOCIAL SECURITY ADMINISTRATION

SUPPLEMENTAL SECURITY INCOME PROGRAM

(RESCISSION)

Of the amounts appropriated in the first paragraph under this heading in Public Law 103–112, $10,909,000 are rescinded.

LIMITATION ON ADMINISTRATIVE EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–112 to invest in a state-of-the-art computing network, $80,000,000 are rescinded.

DEPARTMENT OF EDUCATION

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

(RESCISSION)

Of the amounts appropriated under this heading in Public Law 103–112 for salaries and expenses and administrative costs of the Department of Education, $8,500,000 are rescinded.

Subtitle G—Legislative Branch

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

(RESCISSION)

Of the amounts made available under this heading in Public Law 101–520, $633,000 are rescinded in the amounts specified for the following headings and accounts:

''ALLOWANCES AND EXPENSES'', $633,000, as follows:

''Official Expenses of Members'', $128,000; ''supplies, materials, administrative costs

and Federal tort claims'', $125,000; ''net expenses of purchase, lease and maintenance of office equipment'', $364,000; and ''Government contributions to employees' life insurance fund, retirement funds, Social Security fund, Medicare fund, health benefits fund, and worker's and unemployment compensation'', $16,000.

Of the amounts made available under this heading in Public Law 102–90, $2,352,000 are rescinded in the amounts specified for the following headings and accounts:

''HOUSE LEADERSHIP OFFICES'', $253,000;

''COMMITTEE ON THE BUDGET (STUDIES)'', $4,000;

''STANDING COMMITTEES, SPECIAL AND SELECT'', $378,000;

''ALLOWANCES AND EXPENSES'', $943,000, as follows:

''Official Expenses of Members'', $876,000; and ''stenographic reporting of committee hearings'', $67,000;

''COMMITTEE ON APPROPRIATIONS (STUDIES AND INVESTIGATIONS)'', $595,000;

''SALARIES, OFFICERS AND EMPLOYEES'', $179,000, as follows:

''Office of the Postmaster'', $19,000; ''for salaries and expenses of the Office of the Historian'', $26,000; ''the House Democratic Steering and Policy Committee and the Democratic Caucus'', $73,000; and ''the House Republican Conference'', $61,000.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

CAPITOL BUILDINGS

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–392 and Public Law 103–69, $1,000,000 and $2,000,000, respectively, both made available until expended, are rescinded: *Provided*, That the Architect of the Capitol shall be considered the agency for purposes of the election in section 801(b)(2)(B) of the National Energy Conservation Policy Act and the head of the agency for purposes of subsection (b)(2)(C) of such section.

LIBRARY OF CONGRESS

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–69 and Public Law 98–396, $900,000 are rescinded.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–69, $1,300,000 are rescinded.

SUPPLEMENTAL APPROPRIATION

That the following sum is appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 1994, and for other purposes, namely:

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Karen A. Henry, widow of Paul B. Henry, late a Representative from the State of Michigan, $133,600.

Subtitle H—Department of Defense-Military

MILITARY CONSTRUCTION

(RESCISSIONS)

Of the funds appropriated under Public Law 103–110, the following funds are hereby rescinded from the following accounts in the specified amounts:

Military Construction, Army, $22,319,000;

Military Construction, Navy, $13,969,000;

Military Construction, Air Force, $24,787,000;

Military Construction, Defense-Wide, $13,663,000;

Military Construction, Army National Guard, $7,568,000;

Military Construction, Air National Guard, $6,187,000;

Military Construction, Army Reserve, $2,551,000;

Military Construction, Naval Reserve, $626,000;

Military Construction, Air Force Reserve, $1,862,000;

North Atlantic Treaty Organization Infrastructure, $70,000,000; and

Base Realignment and Closure Account, Part III, $437,692,000:

Provided, That, within funds available for ''Base Realignment and Closure Account, Part III'' for fiscal year 1994, not less than $200,000,000 shall be available solely for environmental restoration.

Subtitle I—Department of Transportation and Related Agencies

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

The funds provided for ''Small community air service'' under section 419 of the Federal Aviation Act of 1958, as amended, in excess of the funds made available for obligation in Public Law 103–122 are rescinded.

COAST GUARD

OPERATING EXPENSES

(RESCISSION)

Of the funds provided under this heading in Public Law 102–368, $5,000,000 are rescinded.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(RESCISSION)

Of the funds provided under this heading in Public Law 102–368, $2,000,000 are rescinded.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–122, $750,000 are rescinded.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances (including earmarked funds) under this heading, $29,451,111 are rescinded.

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the funds provided under the Airport and Airway Improvement Act of 1982, as amended, for grants-in-aid for airport planning and development and noise compatibility planning and programs, $488,200,000 of the amount in excess of the funds made available for obligation in Public Law 103–122 are rescinded.

FEDERAL HIGHWAY ADMINISTRATION

(RESCISSION)

Of the funds made available for specific highway projects that are not yet under construction, $85,774,222 are rescinded: *Provided*, That no funds shall be rescinded from any emergency relief project funded under section 125 of title 23, United States Code: *Provided further*, That for the purposes of this paragraph, a project shall be deemed to be not under construction unless a construction contract for physical construction has been awarded by the State, municipality, or other contracting authority.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

(RESCISSION)

Of the amounts provided under this heading in Public Law 102–388, $3,476,000 are rescinded.

Of the amounts provided under this heading in Public Law 101–516, $1,075,000 are rescinded.

Of the amounts provided under this heading in Public Law 101–164, $2,505,000 are rescinded.

FEDERAL TRANSIT ADMINISTRATION

DISCRETIONARY GRANTS

(HIGHWAY TRUST FUND)

(RESCISSION)

Any unobligated balances of funds made available for fiscal year 1991 and prior fiscal years under section 3 of the Federal Transit Act, as amended, and allocated to specific projects for the replacement, rehabilitation, and purchase of buses and related equipment, for construction of bus-related facilities, and for new fixed guideway systems are rescinded: *Provided*, That no funds provided for the Miami Metromover project shall be rescinded: *Provided further*, That of the funds provided under this heading in Public Law 103–122, $2,500,000 are rescinded.

Subtitle J—Treasury, Postal Service, and General Government

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103–123, $126,022,000, are rescinded and are not available in fiscal year 1994: *Provided*, That no individual prospectus-level new construction project may be reduced by more than 5 percent.

ADMINISTRATIVE PROVISION

SEC. 17101. Section 630 of the Treasury, Postal Service, and General Government Appropriations Act, 1993 (Public Law 102–393), and the amendment made by that section, are repealed.

Subtitle K—Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECTS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $26,000,000 are rescinded.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING PROGRAMS

HOMEOWNERSHIP AND OPPORTUNITY FOR PEOPLE EVERYWHERE GRANTS (HOPE GRANTS)

(RESCISSION)

Of the funds made available under this heading in Public Law 102–389 and Public Law 102–139, $66,000,000 are rescinded: *Provided*, That of the foregoing amount, $34,000,000 shall be deducted from the amounts earmarked for the HOPE for Public and Indian Housing Homeownership Program and $32,000,000 shall be deducted from the amounts earmarked for the HOPE for Homeownership of Multifamily Units Program.

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

(RESCISSION)

Of the funds made available under this heading in Public Law 102–389 and prior years, and earmarked for amendments to section 8 contracts other than contracts for projects developed under section 202 of the Housing Act of 1959, $25,000,000 are rescinded.

ASSISTANCE FOR THE RENEWAL OF EXPIRING SECTION 8 SUBSIDY CONTRACTS

(RESCISSION)

Of the funds made available under this heading in Public Law 102–389 and prior years, $20,000,000 are rescinded.

ADMINISTRATIVE PROVISION

Notwithstanding any other provision of law, the City of Slidell, Louisiana, is authorized to submit not later than 10 days following the enactment of this Act, and the Secretary of Housing and Urban Development shall consider, the final statement of community development objectives and projected use of funds required by section 104(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(a)(1)) in connection with a grant to the City of Slidell under title I of such Act for fiscal year 1994.

INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

WATER INFRASTRUCTURE/STATE REVOLVING FUNDS

(INCLUDING RESCISSION OF FUNDS)

Of the funds made available under this heading in Public Law 103–124, $22,000,000 are rescinded: *Provided*, That the $500,000,000 earmarked under this heading in Public Law 103–124 to not become available until May 31, 1994, shall instead not become available until September 30, 1994.

FEDERAL EMERGENCY MANAGEMENT AGENCY

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $2,000,000 are rescinded.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

RESEARCH AND DEVELOPMENT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $25,000,000 are rescinded.

CONSTRUCTION OF FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $25,000,000 are rescinded.

NATIONAL SCIENCE FOUNDATION

ACADEMIC RESEARCH INFRASTRUCTURE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $10,000,000 are rescinded.

NATIONAL SERVICE INITIATIVE

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $5,000,000 are rescinded.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

The proviso under this heading in Public Law 103–124 is repealed.

TITLE XVIII—ADDITIONAL DEFICIT REDUCTION PROVISIONS

SEC. 18001. RESCISSION OF FUNDS AND CANCELLATION OF SPACE STATION.

(a) CANCELLATION.—The Space Station program is hereby canceled.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator of the National Aeronautics and Space Administration—

(1) $500,000,000 for costs associated with carrying out subsection (a) of this section; and

(2) $300,000,000 for each of the fiscal years 1994 through 1998 for carrying out the responsibilities of the National Aeronautics and Space Administration.

(c) RESCISSION OF FUNDS.—Of the funds made available under the heading ''National Aeronautics and Space Administration—Research and Development'' in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1994 (Pub. L. 103–124), $1,946,000,000 is rescinded, to be derived from the redesigned space station.

SEC. 18002. RESCISSION OF FUNDS AND REDUCTION OF AUTHORIZATION FOR BALLISTIC MISSILE DEFENSE PROGRAM.

(a) FISCAL YEAR 1994 RESCISSION.—Of the funds made available under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' in the Department of Defense Appropriations Act, 1994 (Public Law 103–139), $350,000,000 is rescinded, to be derived from the Ballistic Missile Defense Program.

(b) FISCAL YEAR 1995 AUTHORIZATION REDUCTION.—The total amount authorized to be appropriated to the Department of Defense for fiscal year 1995 for the Ballistic Missile Defense Program (including research, development, test, and evaluation; procurement; and other programs, projects, and activities) may not exceed $2,500,000,000.

(c) FISCAL YEAR 1996 AUTHORIZATION REDUCTION.—The total amount authorized to be appropriated to the Department of Defense for fiscal year 1996 for the Ballistic Missile Defense Program (including research, development, test, and evaluation; procurement; and other programs, projects, and activities) may not exceed $2,450,000,000.

(d) FISCAL YEAR 1997 AUTHORIZATION REDUCTION.—The total amount authorized to be appropriated to the Department of Defense for fiscal year 1997 for the Ballistic Missile Defense Program (including research, development, test, and evaluation; procurement; and other programs, projects, and activities) may not exceed $2,400,000,000.

(e) FISCAL YEAR 1998 AUTHORIZATION REDUCTION.—The total amount authorized to be appropriated to the Department of Defense for fiscal year 1998 for the Ballistic Missile Defense Program (including research, development, test, and evaluation; procurement; and other programs, projects, and activities) may not exceed $2,350,000,000.

SEC. 18003. RESCISSION OF FUNDS AND CANCELLATION OF ADVANCED LIQUID METAL REACTOR PROGRAM.

(a) IN GENERAL.—The Secretary of Energy shall take such actions as are necessary to terminate, as soon as possible, the civilian portion of the advanced liquid metal reactor/integral fast reactor program of the Department of Energy, including the program's promotion of the use of such reactors for the disposal of high-level radioactive waste and Department of Energy support for regulatory applications to the Nuclear Regulatory Commission for design certification for advanced liquid metal reactors or related licensed facilities.

(b) RESCISSION OF FUNDS.—

(1) FISCAL YEAR 1994.—Subject to subsection (c), of the funds made available under the heading ''Department of Energy—Energy Supply, Research and Development Activities'' in the Energy and Water Development Appropriations Act, 1994 (Pub. L. 103–126), $141,900,000 is rescinded, to be derived from the advanced liquid metal reactor/integral fast reactor program.

(2) PRIOR FISCAL YEARS.—Of the funds made available under the heading ''Department of Energy—Energy Supply, Research and Development Activities'' in appropriations Acts for fiscal year 1993 and prior fiscal years, the unobligated balance available on the date of the enactment of this Act for the advanced liquid metal reactor/integral fast reactor program is rescinded.

(c) TERMINATION COSTS.—Subsection (b)(1) shall not apply to the amount of the funds, not exceeding $96,600,000, required for termination of the advanced liquid metal reactor/integral fast reactor program.

SEC. 18004. REDUCTION OF FORCES IN EUROPE.

(a) EFFECTIVE DATE FOR REQUIREMENT FOR REDUCTION TO 100,000 MILITARY PERSONNEL IN EUROPE CHANGED FROM FISCAL YEAR 1996 TO FISCAL YEAR 1995.—Section 1303(b) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 22 U.S.C. 1928 note) is amended by striking out ''October 1, 1995'' and inserting in lieu thereof ''October 1, 1994''.

(b) FURTHER END STRENGTH REDUCTIONS REQUIRED.—Notwithstanding section 1002(c)(1) of the National Defense Authorization Act, 1985 (22 U.S.C. 1928 note), for each of fiscal years 1995, 1996, 1997, and 1998, the Secretary of Defense shall reduce the end strength level of members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of the North Atlantic Treaty Organization in accordance with subsection (c).

(c) REDUCTION FORMULA.—For each percentage point that the allied contribution level is below the goal specified in subsection (d) as of the end of a fiscal year, as determined by the Secretary of Defense, the Secretary of Defense shall reduce the end strength level of members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of NATO by 1,000 for the next fiscal year. The reduction shall be made from the end strength level in effect, pursuant to section 1002(c)(1) of the National Defense Authorization Act, 1985 (22 U.S.C. 1928 note), and subsection (b) of this section (if applicable), for the fiscal year in which the allied contribution level is below the goal specified in subsection (d).

(d) ANNUAL GOALS FOR FORCE REDUCTION.—The President is urged to seek, in continued efforts to enter into revised host-nation agreements as described in section 1301(e) of National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2545), to have European member nations of NATO assume an increased share of the nonpersonnel costs of United States military installations in those nations in accordance with the following timetable:

(1) By September 30, 1994, 18.75 percent of such costs should be assumed by those nations.

(2) By September 30, 1995, 37.5 percent of such costs should be assumed by those nations.

(3) By September 30, 1996, 56.25 percent of such costs should be assumed by those nations.

(4) By September 30, 1997, 75 percent of such costs should be assumed by those nations.

(e) END STRENGTH AUTHORITY.—Notwithstanding reductions required pursuant to subsection (b), the Secretary of Defense may maintain an end strength of at least 25,000 members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of NATO.

(f) ALLOCATION OF FORCE REDUCTIONS.—To the extent that there is a reduction in end strength level for any of the Armed Forces in European member nations of NATO in a fiscal year pursuant to subsection (b)—

(1) half of the reduction shall be used to make a corresponding reduction in the authorized end strength level for active duty personnel for such Armed Force for that fiscal year; and

(2) half of the reduction shall be used to make a corresponding increase in permanent assignments or deployments of forces in the United States or other nations (other than

European member nations of NATO) for each such Armed Force for that fiscal year, as determined by the Secretary of Defense.

(g) DEFINITIONS.—For purposes of this section:

(1) ALLIED CONTRIBUTION LEVEL.—The term ''allied contribution level'', with respect to any fiscal year, means the aggregate amount of nonpersonnel costs for United States military installations in European member nations of NATO that are assumed during that fiscal year by such nations.

(2) NONPERSONNEL COSTS.—The term ''nonpersonnel costs'', with respect to United States military installations in European member nations of NATO, means costs for those installations other than costs paid from military personnel accounts.

It was decided in the negative ..... { Yeas ..... 184 / Nays 248

¶140.26 [Roll No. 610]

AYES—184

Abercrombie	Hefner	Payne (VA)
Ackerman	Hinchey	Pelosi
Allard	Hoagland	Penny
Andrews (ME)	Hoekstra	Peterson (MN)
Baesler	Holden	Petri
Barca	Hughes	Pomeroy
Barcia	Inslee	Porter
Barrett (WI)	Istook	Portman
Becerra	Jacobs	Poshard
Beilenson	Johnson (GA)	Price (NC)
Bereuter	Johnson (SD)	Ramstad
Bilbray	Johnston	Rangel
Bishop	Kanjorski	Reed
Blute	Kaptur	Reynolds
Borski	Kennedy	Roemer
Brewster	Kildee	Rostenkowski
Brown (OH)	Kingston	Roth
Bryant	Kleczka	Roukema
Byrne	Klein	Rowland
Camp	Klink	Rush
Cantwell	Klug	Sanders
Cardin	Kreidler	Sangmeister
Clayton	LaFalce	Sawyer
Clement	Lambert	Schenk
Clyburn	Lantos	Schroeder
Coble	LaRocco	Schumer
Collins (IL)	Leach	Sensenbrenner
Collins (MI)	Lehman	Serrano
Condit	Levin	Sharp
Conyers	Lewis (GA)	Shays
Coppersmith	Lipinski	Shepherd
Costello	Long	Skaggs
Coyne	Lowey	Slaughter
Danner	Machtley	Snowe
de Lugo (VI)	Maloney	Stark
Deal	Mann	Stenholm
DeFazio	Margolies-Mezvinsky	Strickland
Dellums	Markey	Studds
Deutsch	McCloskey	Stupak
Dooley	McDermott	Swett
Duncan	McKinney	Synar
Durbin	McNulty	Thomas (WY)
English (AZ)	Meehan	Thompson
English (OK)	Menendez	Towns
Evans	Mfume	Traficant
Faleomavaega (AS)	Miller (CA)	Unsoeld
Flake	Minge	Upton
Foglietta	Mink	Valentine
Ford (MI)	Moakley	Velazquez
Frank (MA)	Murphy	Vento
Franks (NJ)	Nadler	Visclosky
Furse	Neal (NC)	Walsh
Gekas	Norton (DC)	Washington
Gilchrest	Nussle	Watt
Goodlatte	Oberstar	Waxman
Goodling	Obey	Wheat
Gordon	Olver	Williams
Grandy	Orton	Woolsey
Gunderson	Owens	Wyden
Gutierrez	Pallone	Wynn
Hamburg	Payne (NJ)	Yates
		Zimmer

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Andrews (NJ)	Ballenger	Bilirakis
Andrews (TX)	Barlow	Blackwell
Applegate	Barrett (NE)	Bliley
Archer	Bartlett	Boehlert
Armey	Barton	Boehner
Bacchus (FL)	Bateman	Bonilla
Bachus (AL)	Bentley	Bonior
Baker (CA)	Berman	Boucher
Baker (LA)	Bevill	Brooks
Browder	Hastert	Parker
Brown (CA)	Hastings	Pastor
Brown (FL)	Hayes	Paxon
Bunning	Hefley	Peterson (FL)
Burton	Herger	Pickett
Buyer	Hilliard	Pickle
Callahan	Hobson	Pombo
Calvert	Hochbrueckner	Pryce (OH)
Canady	Hoke	Quillen
Carr	Horn	Quinn
Castle	Houghton	Rahall
Chapman	Hoyer	Ravenel
Clay	Huffington	Regula
Coleman	Hunter	Richardson
Collins (GA)	Hutchinson	Ridge
Combest	Hutto	Roberts
Cooper	Hyde	Rogers
Cox	Inglis	Rohrabacher
Cramer	Inhofe	Ros-Lehtinen
Crane	Jefferson	Rose
Crapo	Johnson (CT)	Roybal-Allard
Cunningham	Johnson, E. B.	Royce
Darden	Johnson, Sam	Sabo
de la Garza	Kasich	Santorum
DeLauro	Kennelly	Sarpalius
DeLay	Kim	Saxton
Derrick	King	Schaefer
Diaz-Balart	Knollenberg	Schiff
Dickey	Kolbe	Scott
Dicks	Kopetski	Shaw
Dingell	Kyl	Shuster
Dixon	Lancaster	Sisisky
Doolittle	Laughlin	Skeen
Dornan	Lazio	Skelton
Dreier	Levy	Slattery
Dunn	Lewis (CA)	Smith (IA)
Edwards (CA)	Lewis (FL)	Smith (MI)
Edwards (TX)	Lightfoot	Smith (NJ)
Emerson	Linder	Smith (TX)
Engel	Livingston	Solomon
Eshoo	Lloyd	Spence
Everett	Manton	Spratt
Ewing	Manzullo	Stearns
Farr	Martinez	Stokes
Fawell	Matsui	Stump
Fazio	Mazzoli	Sundquist
Fields (LA)	McCandless	Swift
Fields (TX)	McCollum	Talent
Filner	McCrery	Tanner
Fingerhut	McCurdy	Tauzin
Fish	McDade	Taylor (MS)
Fowler	McHale	Taylor (NC)
Franks (CT)	McHugh	Tejeda
Frost	McInnis	Thomas (CA)
Gallegly	McKeon	Thornton
Gallo	McMillan	Thurman
Gejdenson	Meek	Torkildsen
Gephardt	Meyers	Torres
Geren	Mica	Torricelli
Gibbons	Miller (FL)	Tucker
Gillmor	Mineta	Underwood (GU)
Gilman	Molinari	Volkmer
Gingrich	Mollohan	Vucanovich
Glickman	Montgomery	Walker
Gonzalez	Moorhead	Waters
Goss	Moran	Weldon
Grams	Morella	Whitten
Green	Murtha	Wilson
Greenwood	Myers	Wise
Hall (TX)	Natcher	Wolf
Hamilton	Neal (MA)	Young (AK)
Hancock	Ortiz	Young (FL)
Hansen	Oxley	Zeliff
Harman	Packard	

NOT VOTING—6

Clinger	Michel	Smith (OR)
Ford (TN)	Romero-Barcelo (PR)	
Hall (OH)		

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. HOYER, assumed the Chair.

When Mr. HUGHES, Chairman, pursuant to House Resolution 320, reported the bill back to the House with an amendment adopted by the Committee and with the identical amendment considered as adopted by the House pursuant to House Resolution 320.

The previous question having been ordered by said resolution.

The question being put, viva voce,

Will the House agree to the following amendment:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Government Reform and Savings Act of 1993''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title and table of contents.

TITLE I—DEPARTMENT OF AGRICULTURE

Subtitle A—Department of Agriculture Reorganization

Sec. 1001. Department of Agriculture reorganization.

Subtitle B—Eliminating Federal Support for Honey

Sec. 1101. Amendments to section 207 of the Agricultural Act of 1949.
Sec. 1102. Amendment to section 405 of the Agricultural Act of 1949.
Sec. 1103. Amendments to section 405A of the Agricultural Act of 1949.
Sec. 1104. Savings provision.

TITLE II—DEPARTMENT OF COMMERCE

Sec. 2001. Polar satellite convergence.

TITLE III—DEPARTMENT OF DEFENSE

Sec. 3001. Use of proceeds from the sale of recyclable materials at military installations.
Sec. 3002. Closure of the Uniformed Services University of the Health Sciences.
Sec. 3003. Streamlining and reorganization of the Corps of Engineers.

TITLE IV—DEPARTMENT OF ENERGY

Subtitle A—Alaska Power Administration Sale Authorization

Sec. 4001. Short title.
Sec. 4002. Sale of Snettisham and Eklutna hydroelectric projects.
Sec. 4003. Assessment of alternative options.

Subtitle B—Federal-Private Cogeneration of Electricity

Sec. 4101. Federal-private cogeneration of electricity.

Subtitle C—Power Marketing Administrations

Sec. 4201. Power Marketing Administrations refinancing study.
Sec. 4202. Bonneville Power Administration refinancing study.

Subtitle D—Termination of Advanced Liquid Metal Reactor Program

Sec. 4301. Termination of advanced liquid metal reactor program.

TITLE V—DEPARTMENT OF HEALTH AND HUMAN SERVICES

Sec. 5001. Study of methods to increase flexibility in contracting for Medicare claims processing.
Sec. 5002. Workers' compensation data exchange pilot projects.
Sec. 5003. Federal clearinghouse on death information.
Sec. 5004. Continuing disability reviews.

TITLE VI—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sec. 6001. Multifamily property disposition.
Sec. 6002. Section 235 mortgage refinancing.
Sec. 6003. Use of emergency assistance funds for residency in multifamily housing disposition projects.
Sec. 6004. Additional employees to facilitate disposition of FHA inventory properties.
Sec. 6005. HUD streamlining.

TITLE VII—DEPARTMENT OF THE INTERIOR

Sec. 7001. Improvement of Minerals Management Service royalty collection.
Sec. 7002. Phase out of Mineral Institute program.

Sec. 7003. Reorganization study of Bureau of Indian Affairs.
Sec. 7004. Termination of annual direct grant assistance
TITLE VIII—MISCELLANEOUS PROVISIONS
Sec. 8001. Limitation on certain annual pay adjustments.
Sec. 8002. Reduction of Federal full-time equivalent positions.
TITLE IX—DEPARTMENT OF LABOR
Sec. 9001. Deterrence of fraud and abuse in FECA program.
Sec. 9002. Enhancement of reemployment programs for Federal employees disabled in the performance of duty.
Sec. 9003. Wage determinations.
Sec. 9004. Elimination of filing requirements.
TITLE X—DEPARTMENT OF STATE AND UNITED STATES INFORMATION AGENCY
Sec. 10001. Improvement of efficiency of State Department activities.
Sec. 10002. Improvement of efficiency of USIA public diplomacy activities.
TITLE XI—DEPARTMENT OF TRANSPORTATION
Sec. 11001. Reemployment rights for certain merchant seamen.
Sec. 11002. Reform of essential air service program.
Sec. 11003. Airway science program.
Sec. 11004. Collegiate training initiative.
TITLE XII—DEPARTMENT OF VETERANS AFFAIRS
Subtitle A—Administrative Improvements
Sec. 12001. Elimination of hospital and nursing home bed capacity requirements.
Sec. 12002. Elimination of requirement for minimum number of personnel in the Office of Inspector General.
Sec. 12003. Modification of administrative reorganization authority.
Sec. 12004. Elimination of requirement for certain services in the Veterans Health Administration.
Sec. 12005. Modification of physician requirement for certain senior Veterans Health Administration officials.
Sec. 12006. Use of funds recovered from third parties.
Subtitle B—Closure of Certain Facilities
Sec. 12101. Closure of supply depots.
Sec. 12102. Waiver of other provisions.
Subtitle C—Provision of Information From the Medicare and Medicaid Coverage Data Bank to the Department of Veterans Affairs
Sec. 12201. Provision of data bank information to Department of Veterans Affairs.
Subtitle D—Veterans' Appeals Improvements
Sec. 12301. Board of Veterans' Appeals.
Sec. 12302. Decisions by the Board.
Sec. 12303. Technical correction.
Sec. 12304. Hearings.
Sec. 12305. Elimination of requirement for annual income questionnaires.
TITLE XIII—HUMAN RESOURCE MANAGEMENT
Sec. 13001. Federal workforce training.
Sec. 13002. SES annual leave accumulation.
TITLE XIV—REINVENTING SUPPORT SERVICES
Sec. 14001. Short title.
Sec. 14002. Transfer of functions.
Sec. 14003. Government publications to be available throughout the Government.
Sec. 14004. Inventory and furnishing of Government publications.
Sec. 14005. Additional responsibilities of the Public Printer.
Sec. 14006. Additional responsibilities of the Superintendent of Documents.
Sec. 14007. Depository libraries.
Sec. 14008. Definitions.
TITLE XV—STREAMLINING MANAGEMENT CONTROL
Sec. 15001. Authority to increase efficiency in reporting to Congress.
TITLE XVI—FINANCIAL MANAGEMENT
Sec. 16001. Short title.
Sec. 16002. Electronic payments.
Sec. 16003. Franchise funds and innovation funds.
Sec. 16004. Simplification of management reporting process.
Sec. 16005. Annual financial reports.
Sec. 16006. Authorization of appropriations for enhancing debt collection.
Sec. 16007. Contracts for collection services.
Sec. 16008. Notification to agencies of debtors' mailing addresses.
Sec. 16009. Contracts for collection services.
Sec. 16010. Adjusting civil monetary penalties for inflation.
TITLE XVII—RESCISSIONS OF BUDGET AUTHORITY
Sec. 17001. Short title.
Subtitle A—Department of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies
Subtitle B—Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies
Subtitle C—Energy and Water Development
Subtitle D—Foreign Operations, Export Financing, and Related Agencies
Subtitle E—Department of the Interior and Related Agencies
Subtitle F—Departments of Labor, Health and Human Services, Education, and Related Agencies
Subtitle G—Legislative Branch
Subtitle H—Department of Defense-Military
Subtitle I—Department of Transportation and Related Agencies
Subtitle J—Treasury, Postal Service, and General Government
Subtitle K—Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies

TITLE I—DEPARTMENT OF AGRICULTURE

Subtitle A—Department of Agriculture Reorganization

SEC. 1001. DEPARTMENT OF AGRICULTURE REORGANIZATION.

(a) IN GENERAL.—The Secretary of Agriculture shall (1) consolidate field, regional, and national offices within the Department of Agriculture and (2) reduce personnel by not less than 7,500 staff years, so as to achieve a reduction in expenditures by the Department of not less than $1,640,000,000 during the period fiscal years 1995 through 1999.

(b) AUTHORITIES.—In consolidating offices and reducing personnel as required by subsection (a), the Secretary shall take such action on the basis of the powers vested in the Secretary under other laws.

Subtitle B—Eliminating Federal Support for Honey

SEC. 1101. AMENDMENTS TO SECTION 207 OF THE AGRICULTURAL ACT OF 1949.

(a) Section 207(a) of the Agricultural Act of 1949 is amended to read as follows:

''(a) IN GENERAL.—For each of the 1991 through 1995 crops of honey, the price of honey shall be supported through loans, purchases, or other operations, except that for the 1994 and 1995 crops, the price of honey shall be supported through recourse loans.

''(1) For the 1991 through 1993 crop years, the rate of support shall be not less than 53.8 cents per pound.

''(2) For the 1994 and 1995 crop years, the Secretary shall provide recourse loans to producers at such a rate that minimizes costs and forfeitures, except that such rate shall not be less than 44 cents a pound. Section 407 shall not be applicable to honey forfeited to the Commodity Credit Corporation under loans made under this paragraph.

''(3) A producer who fails to repay a loan made under paragraph (2) by the end of the crop year following the crop year for which such loan was made shall be ineligible for a loan under this section for subsequent crop years, except that the Secretary may waive this provision in any case where in which the Secretary determines that the failure to repay the loan was due to hardship conditions or circumstances beyond the control of the producer.''.

(b) Section 207(b) of the Agricultural Act of 1949 is amended by striking ''for a crop'' and inserting ''for the 1991 through 1993 crops''.

(c) Section 207(c) of the Agricultural Act of 1949 is amended by striking ''1998'' and inserting ''1993''.

(d) Section 207(e) of the Agricultural Act of 1949 is amended by—

(1) striking subparagraphs (D) through (G);

(2) inserting ''and'' after the semicolon following subparagraph (B); and

(3) changing the semicolon following subparagraph (C) to a period.

(e) Section 207(j) of the Agricultural Act of 1949 is amended by striking ''1998'' and inserting ''1995''.

SEC. 1102. AMENDMENT TO SECTION 405 OF THE AGRICULTURAL ACT OF 1949.

Section 405(a) of the Agricultural Act of 1949 is amended by striking in the first sentence ''section 405A'' and inserting ''sections 207 and 405A''.

SEC. 1103. AMENDMENTS TO SECTION 405A OF THE AGRICULTURAL ACT OF 1949.

Section 405A(a) of the Agricultural Act of 1949 is amended by striking all that follows ''1992 crop year,'' and inserting ''and $150,000 in the 1993 crop year.''.

SEC. 1104. SAVINGS PROVISION.

A provision of this subtitle may not affect the liability of any person under any provision of law as in effect before the effective date of the provision.

TITLE II—DEPARTMENT OF COMMERCE

SEC. 2001. POLAR SATELLITE CONVERGENCE.

The Departments of Commerce and Defense and the National Aeronautics and Space Administration shall propose a single operational polar environmental and weather satellite system, which meets national needs. It is the sense of Congress that such a proposed system, contingent on the provision of adequate resources to fully meet the national security interests of the United States, shall be operated as a civil system by the Department of Commerce. A detailed implementation plan shall be submitted to Congress by the Director of the Office of Science and Technology Policy, in consultation with the Departments of Commerce and Defense and the National Aeronautics and Space Administration, by April 30, 1994. The plan shall be designed to result in savings of up to $300 million in budget authority and up to $251 million in outlays between fiscal years 1994 and 1999. The National Aeronautics and Space Administration and the National Oceanic and Atmospheric Administration shall jointly develop a plan to implement a program modelled after the Operational Satellite Improvement Program for the purpose of making incremental enhancements in operational weather satellite sys-

tems. The goal of the plan shall be to achieve these enhancements in a cost effective manner by implementing procedures aimed at avoiding duplication of effort, cost overruns, and schedule delays. The Administrators of the National Aeronautics and Space Administration and the National Oceanic and Atmospheric Administration shall submit to Congress no later than April 30, 1994, a report detailing the elements of the plan and outlining savings in budget authority and budget outlays projected through fiscal year 1999.

TITLE III—DEPARTMENT OF DEFENSE

SEC. 3001. USE OF PROCEEDS FROM THE SALE OF RECYCLABLE MATERIALS AT MILITARY INSTALLATIONS.

Section 2577 of title 10, United States Code, is amended by striking out subsections (b) and (c) and inserting in lieu thereof the following:

''(b) Proceeds from the sale of recyclable materials at an installation shall be credited—

''(1) to funds available for operations and maintenance at that installation; and

''(2) at the discretion of the commander of the installation and if a balance remains available after such funds are credited, to the nonappropriated morale and welfare account of the installation to be used for any morale or welfare activity.''.

SEC. 3002. CLOSURE OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

(a) CLOSURE REQUIRED.—Section 2112 of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) by inserting ''and the closure'' after ''The development''; and

(B) by striking out ''subsection (a)'' and inserting in lieu thereof ''subsections (a) and (b)''; and

(2) by striking out subsection (b) and inserting in lieu thereof the following new subsection:

''(b)(1) Not later than September 30, 1998, the Secretary of Defense shall close the University. To achieve the closure of the University by that date, the Secretary shall begin to terminate the operations of the University beginning in fiscal year 1995. On account of the required closure of the University under this subsection, no students may be admitted to begin studies in the University after September 30, 1994.

''(2) Section 2687 of this title and any other provision of law establishing preconditions to the closure of any activity of the Department of Defense shall not apply with regard to the termination of the operations of the University or to the closure of the University pursuant to this subsection.''.

(b) FINAL GRADUATION OF STUDENTS.—Section 2112(a) of such title is amended—

(1) in the second sentence, by striking out '', with the first class graduating not later than September 21, 1982.'' and inserting in lieu thereof '', except that no students may be awarded degrees by the University after September 30, 1998.''; and

(2) by adding at the end the following new sentence: ''On a case-by-case basis, the Secretary of Defense may provide for the continued education of a person who, immediately before the closure of the University under subsection (b), was a student in the University and completed substantially all requirements necessary to graduate from the University.''.

(c) TERMINATION OF UNIVERSITY BOARD OF REGENTS.—Section 2113 of such title is amended by adding at the end the following new subsection:

''(k) The Board shall terminate on September 30, 1998, except that the Secretary of Defense may terminate the Board before that date as part of the termination of the operations of the University under section 2112(b) of this title.''.

(d) PROHIBITION ON RECIPROCAL AGREEMENTS.—Section 2114(e)(1) of such title is amended by adding at the end the following new sentence: ''No agreement may be entered into under this subsection after September 30, 1994, and all such agreements shall terminate not later than September 30, 1998.''.

(e) CONFORMING AMENDMENTS.—(1) Section 178 of such title, relating to the Henry M. Jackson Foundation for the Advancement of Military Medicine, is amended—

(A) in subsection (b), by inserting after ''Uniformed Services University of the Health Sciences,'' the following: ''or after the closure of the University, with the Department of Defense,'';

(B) in subsection (c)(1)(B), by striking out ''the Dean of the Uniformed Services University of the Health Sciences'' and inserting in lieu thereof ''a person designated by the Secretary of Defense''; and

(C) in subsection (g)(1), by inserting after ''Uniformed Services University of the Health Sciences,'' the following: ''or after the closure of the University, the Secretary of Defense''.

(2) Section 466(a)(1)(B) of the Public Health Service Act (42 U.S.C. 286a(a)(1)(B)), relating to the Board of Regents of the National Library of Medicine, is amended by striking out ''the Dean of the Uniformed Services University of the Health Sciences,''.

(f) CLERICAL AMENDMENTS.—(1) The heading of section 2112 of title 10, United States Code, is amended to read to read as follows:

''§ 2112. Establishment and closure of University''.

(2) The item relating to such section in the table of sections at the beginning of chapter 104 of such title is amended to read as follows:

''2112. Establishment and closure of University.''.

SEC. 3003. STREAMLINING AND REORGANIZATION OF CORPS OF ENGINEERS.

(a) DEVELOPMENT OF PLAN.—The Secretary of the Army shall develop a plan to reorganize the United States Army Corps of Engineers by reorganizing the headquarters offices, reducing the number of division offices, and restructuring the district functions so as to increase the efficiency of the United States Army Corps of Engineers and reduce staff and costs, with the goal of achieving approximately $50 million in net annual savings by fiscal year 1998.

(b) TRANSMITTAL AND APPROVAL OF PLAN.—The Secretary of the Army shall transmit to Congress the plan developed under subsection (a) for approval. The Secretary shall not implement such plan until it is approved by Congress.

TITLE IV—DEPARTMENT OF ENERGY

Subtitle A—Alaska Power Administration Sale Authorization

SEC. 4001. SHORT TITLE.

This subtitle may be cited as the ''Alaska Power Administration Sale Authorization Act''.

SEC. 4002. SALE OF SNETTISHAM AND EKLUTNA HYDROELECTRIC PROJECTS.

(a) The Secretary of Energy may sell the Snettisham Hydroelectric Project (referred to in this subtitle as ''Snettisham'') to the State of Alaska Power Authority (now known as the Alaska Industrial Development and Export Authority, and referred to in this subtitle as the ''Authority''), or its successor, in accordance with the February 10, 1989, Snettisham Purchase Agreement between the Alaska Power Administration of the United States Department of Energy and the Authority.

(b) The Secretary of Energy may sell the Eklutna Hydroelectric Project (referred to in this subtitle as ''Eklutna'') to the Municipality of Anchorage doing business as Municipal Light and Power, the Chugach Electric Association, Inc., and the Matanuska Electric Association, Inc. (referred to in this subtitle as ''Eklutna Purchasers'') in accordance with the August 2, 1989, Eklutna Purchase Agreement between the United States Department of Energy and the Eklutna Purchasers.

(c) The heads of other affected Federal departments and agencies, including the Secretary of the Interior, shall assist the Secretary of Energy in implementing the sales authorized by this Act.

(d) The Secretary of Energy shall deposit sale proceeds in the Treasury of the United States to the credit of miscellaneous receipts.

(e) There are authorized to be appropriated such sums as are necessary to prepare or acquire Eklutna and Snettisham assets for sale and conveyance, such preparations to provide sufficient title to ensure the beneficial use, enjoyment, and occupancy to the purchasers of the assets to be sold.

(f) No later than one year after both of the sales authorized in section 4002 have occurred, as measured by the Transaction Dates stipulated in the Purchase Agreements, the Secretary of Energy shall—

(1) complete the business of, and close out, the Alaska Power Administration; and

(2) prepare and submit to Congress a report documenting the sales.

SEC. 4003. ASSESSMENT OF ALTERNATIVE OPTIONS.

Before taking any action authorized in section 4002, the Secretary shall assess the feasibility of alternative options for maximizing the return to the Treasury from the sale of the Alaska Power Marketing Administration.

Subtitle B—Federal-Private Cogeneration of Electricity

SEC. 4101. FEDERAL-PRIVATE COGENERATION OF ELECTRICITY.

Section 804(2)(B) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(2)(B)) is amended by striking '', excluding any cogeneration process for other than a federally owned building or buildings or other federally owned facilities.''.

Subtitle C—Power Marketing Administrations

SEC. 4201. POWER MARKETING ADMINISTRATIONS REFINANCING STUDY.

The Administrators of the Southeastern, Southwestern and Western Area Power Administrations, in consultation with their respective firm power contractors and other interested parties (including, where applicable, the Bureau of Reclamation), shall study refinancing options, including modifications to existing financial and accounting practices that may be required to effectively and efficiently issue and manage revenue bonds. Such refinancing options shall, for each of the power systems they administer, satisfy their respective repayment obligations to the United States Treasury without causing any increase in their respective firm power rates beyond the rates that would otherwise result under rate-setting policies and practices in effect on October 1, 1993. The results of such studies shall be submitted no later than May 1, 1994, to the Speaker of the House of Representatives and the President of the Senate. Such studies shall be made within the limits of existing funding, or, if necessary, with funds contributed by firm power contractors.

SEC. 4202. BONNEVILLE POWER ADMINISTRATION REFINANCING STUDY.

The Administrator of the Bonneville Power Administration, in consultation with his customers and constituents, shall study options, including an open market buyout, a Treasury buyout, or any other reasonable al-

ternative that would lead to a permanent resolution of the repayment reform initiative directed at Bonneville's appropriation investment repayment obligation. Such refinancing options shall satisfy the outstanding appropriated investment repayment obligation, without increasing rates beyond the rates that would otherwise result under rate-setting policies and practices in effect on October 1, 1993. The result of this study shall be submitted to the Speaker of the House of Representatives and the President of the Senate no later than March 1, 1994.

Subtitle D—Termination of Advanced Liquid Metal Reactor Program

SEC. 4301. TERMINATION OF ADVANCED LIQUID METAL REACTOR PROGRAM.

(a) IN GENERAL.—No amount of funds provided for any fiscal year may be obligated by the Secretary of Energy after the date of the enactment of this Act for the civilian portion of the advanced liquid metal reactor program, including—

(1) the program's promotion of the use of such reactors for the disposal of high-level radioactive waste; and

(2) Department of Energy support for regulatory applications to the Nuclear Regulatory Commission for design certification for advanced liquid metal reactors or related licensed facilities.

(b) PROHIBITION OF OTHER USES.—The amount of funds available on the date of the enactment of this Act for obligation for the program described in subsection (a) shall not be available for obligation by the Secretary of Energy after such date for any other purpose.

(c) EXCEPTION.—Subsections (a) and (b) shall not apply to obligations required to be incurred in terminating the program described in subsection (a).

TITLE V—DEPARTMENT OF HEALTH AND HUMAN SERVICES

SEC. 5001. STUDY OF METHODS TO INCREASE FLEXIBILITY IN CONTRACTING FOR MEDICARE CLAIMS PROCESSING.

(a) STUDY.—The Secretary of Health and Human Services shall conduct a study of methods to increase flexibility in contracting for claims processing under the medicare program and to otherwise simplify the administration of program, and shall include in the study an analysis of the feasibility and desirability of carrying out the following changes to the program:

(1) Permitting entities other than insurance companies to serve as carriers under part B of the program.

(2) Eliminating the requirement that fiscal intermediaries under part A of the program be nominated by a group or association of providers of services under such part.

(3) Increasing the Secretary's flexibility in assigning particular functions to fiscal intermediaries and carriers.

(4) Expanding the circumstances and standards under which the Secretary may terminate a contract with a fiscal intermediary or a carrier.

(5) Permitting the Secretary to require that a fiscal intermediary or a carrier meet data matching requirements for purposes of identifying situations in which medicare is a secondary payer.

(6) Eliminating the requirements that the Secretary make an additional payment to fiscal intermediaries and carriers for administrative costs.

(7) Eliminating the requirement that the Secretary enter into an agreement with a separate carrier for purposes of administering part B with respect to individuals entitled to benefits as qualified railroad retirement beneficiaries.

(b) REPORT.—Not later than April 30, 1994, the Secretary shall submit a report to the Committees on Energy and Commerce and Ways and Means of the House of Representatives and the Committee on Finance of the Senate on the study conducted under subsection (a), together with any recommendations of the Secretary for statutory revisions to increase flexibility and reduce costs in the administration of the medicare program.

SEC. 5002. WORKERS' COMPENSATION DATA EXCHANGE PILOT PROJECTS.

(a) IN GENERAL.—The Secretary is authorized to conduct pilot projects with not more than three States for the purpose of studying various means of obtaining on a timely and accurate basis such information relating to benefits paid on account of total or partial disability under the States' workers' compensation plan as the Secretary may require for the purpose of carrying out section 224 of the Social Security Act.

(b) REIMBURSEMENT OF STATE COSTS.—A State that participates in a project conducted pursuant to subsection (a) may be paid by the Secretary, from amounts available pursuant to subsection (e), the reasonable costs of such participation.

(c) EVALUATION.—The Secretary shall evaluate each project conducted pursuant to subsection (a) and shall apply the findings, as appropriate, to agreements negotiated pursuant to subsection (h)(2) of such section 224.

(d) DEADLINE FOR COMMENCEMENT OF PROJECTS.—No pilot project authorized by subsection (a) may be commenced after the expiration of the 5-year period beginning on the date of enactment of this section.

(e) FUNDING.—Expenditures for pilot projects conducted pursuant to subsection (a) may be made from the Federal Disability Insurance Trust Fund and the Old-Age and Survivors Insurance Trust Fund, as determined appropriate by the Secretary.

(f) EFFECTIVE DATE.—This section shall be effective upon enactment.

SEC. 5003. FEDERAL CLEARINGHOUSE ON DEATH INFORMATION.

(a) CLEARINGHOUSE DESIGNATION.—The heading for section 205(r) of the Social Security Act is amended to read as follows: ''Clearinghouse on Death Information''.

(b) ACQUISITION OF DISCLOSABLE DEATH INFORMATION FROM STATES.—

(1) Section 205(r)(1)(A) of the Social Security Act is amended by striking ''to furnish the Secretary periodically with'' and inserting ''to furnish periodically to the Secretary, for use in carrying out subparagraph (B) and paragraphs (3) and (4),''.

(2)(A) Notwithstanding clause (ii) of section 6103(d)(4)(B) of the Internal Revenue Code of 1986 (as added by section 13444(a) of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66)), in order for a contract requiring a State to furnish the Secretary of Health and Human Services information concerning individuals with respect to whom death certificates (or equivalent documents maintained by the State or any subdivision thereof) have been officially filed with it to meet the requirements of such section 6103(d)(4)(B), such contract shall authorize the Secretary to use such information and to redisclose such information to any Federal agency or any agency of a State or political subdivision in accordance with section 205(r) of the Social Security Act.

(B) The provisions of subparagraph (A) of this paragraph and, notwithstanding subparagraph (C) of section 6103(d)(4) of the Internal Revenue Code of 1986 (as added by section 13444(a) of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66)), the provisions of subparagraphs (A) and (B) of such section 6103(d)(4) shall apply to all States, regardless of whether they were, on July 1, 1993, pursuant to a contract, furnishing the Secretary of Health and Human Services information concerning individuals with respect to whom death certificates (or equivalent documents maintained by the State or any subdivision thereof) have been officially filed with it.

(C) Subparagraphs (A) and (B) of this paragraph shall take effect at the same time as the amendment made by section 13444(a) of the Omnibus Budget Reconciliation Act of 1993 takes effect.

(D) For the purpose of applying the special rule contained in section 13444(b)(2) of the Omnibus Budget Reconciliation Act of 1993, the reference in such section to section 6103(d)(4)(B) of the Internal Revenue Code of 1986 shall be deemed to include a reference to subparagraph (A) of this paragraph.

(c) PAYMENT TO STATES FOR DEATH INFORMATION.—Section 205(r)(2) of the Social Security Act is amended—

(1) by striking ''the reasonable costs'' and inserting ''a reasonable amount''; and

(2) by striking ''transcribing and transmitting'' and inserting ''furnishing''.

(d) FEE FOR CLEARINGHOUSE INFORMATION.—

(1) Section 205(r)(3) of the Social Security Act is amended by striking out ''if'' and all that follows, and inserting '', provided that such agency agrees to pay the fees set by the Secretary pursuant to paragraph (8).''.

(2) Section 205(r)(4) of the Social Security Act is amended—

(A) by inserting ''and political subdivisions'' after ''States'' the first place such term appears;

(B) by striking ''the States'' and inserting ''any State, political subdivision, or combination thereof''; and

(C) by striking ''if'' and all that follows and inserting ''provided such States and political subdivisions agree to pay the fees set by the Secretary pursuant to paragraph (8).''.

(3) Section 205(r) of the Social Security Act is amended by adding at the end a new paragraph as follows: ''(8) The Secretary shall establish fees for the disclosure of information pursuant to this subsection. Such fees shall be in amounts sufficient to cover all costs (including indirect costs) associated with the Secretary's responsibilities under this subsection. Fees collected pursuant to this paragraph shall remain available, without fiscal year limitation, to the Secretary to cover the administrative costs of carrying out this subsection.''.

(e) TECHNICAL ASSISTANCE.—Section 205(r) of the Social Security Act is amended by adding at the end (after the paragraph added by subsection (d)(3)) the following new paragraph:

''(9) The Secretary may provide to any Federal or State agency that provides Federally funded benefits, upon the request of such agency, technical assistance on the effective collection, dissemination, and use of death information available under this subsection for the purpose of ensuring that such benefits are not erroneously paid to deceased individuals.''.

(f) TECHNICAL AMENDMENT.—Section 205(r) of the Social Security Act is amended by adding at the end (after the paragraph added by subsection (e)) the following new paragraph:

''(10) For purposes of this subsection, the term 'Federally funded benefit' means any payment funded in whole or in part by the Federal Government.''.

(g) EFFECTIVE DATE.—Except as otherwise provided, the amendments made by this section shall take effect upon their enactment.

SEC. 5004. CONTINUING DISABILITY REVIEWS.

Section 201(g)(1)(A) of the Social Security Act is amended by adding at the end of the paragraph the following sentence: ''From funds provided pursuant to this subparagraph for the following fiscal years, not less than the following amounts shall be available only for conducting continuing disabil-

ity reviews and related workloads: for fiscal year 1994, $46 million; for fiscal year 1995, $47,200,000; for fiscal year 1996, $48,500,000; for fiscal year 1997, $49,800,000; for fiscal year 1998, $51,100,000; and for fiscal year 1999, $52,500,000.''.

TITLE VI—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SEC. 6001. MULTIFAMILY PROPERTY DISPOSITION.

(a) FINDINGS.—The Congress finds that—

(1) the portfolio of multifamily housing project mortgages insured by the FHA is severely troubled and at risk of default, requiring the Secretary to increase loss reserves from $5,500,000,000 in 1991 to $11,900,000,000 in 1992 to cover estimated future losses;

(2) the inventory of multifamily housing projects owned by the Secretary has more than tripled since 1989, and, by the end of 1993, may exceed 75,000 units;

(3) the cost to the Federal Government of owning and maintaining multifamily housing projects escalated to approximately $250,000,000 in fiscal year 1992;

(4) the inventory of multifamily housing projects subject to mortgages held by the Secretary has increased dramatically, to more than 2,400 mortgages, and approximately half of these mortgages, with over 230,000 units, are delinquent;

(5) the inventory of insured and formerly insured multifamily housing projects is rapidly deteriorating, endangering tenants and neighborhoods;

(6) over 5 million families today have a critical need for housing that is affordable and habitable; and

(7) the current statutory framework governing the disposition of multifamily housing projects effectively impedes the Government's ability to dispose of properties, protect tenants, and ensure that projects are maintained over time.

(b) MANAGEMENT AND DISPOSITION OF MULTIFAMILY HOUSING PROJECTS.—Section 203 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z–11) is amended to read as follows:

"SEC. 203. MANAGEMENT AND DISPOSITION OF MULTIFAMILY HOUSING PROJECTS.

''(a) GOALS.—The Secretary of Housing and Urban Development shall manage or dispose of multifamily housing projects that are owned by the Secretary or that are subject to a mortgage held by the Secretary in a manner that—

''(1) is consistent with the National Housing Act and this section;

''(2) will protect the financial interests of the Federal Government; and

''(3) will, in the least costly fashion among reasonable available alternatives, further the goals of—

''(A) preserving housing so that it can remain available to and affordable by low-income persons;

''(B) preserving and revitalizing residential neighborhoods;

''(C) maintaining existing housing stock in a decent, safe, and sanitary condition;

''(D) minimizing the involuntary displacement of tenants;

''(E) maintaining housing for the purpose of providing rental housing, cooperative housing, and homeownership opportunities for low-income persons; and

''(F) minimizing the need to demolish multifamily housing projects.

The Secretary, in determining the manner in which a project is to be managed or disposed of, may balance competing goals relating to individual projects in a manner that will further the purposes of this section.

''(b) DEFINITIONS.—For purposes of this section:

''(1) MULTIFAMILY HOUSING PROJECT.—The term 'multifamily housing project' means any multifamily rental housing project which is, or prior to acquisition by the Secretary was, assisted or insured under the National Housing Act, or was subject to a loan under section 202 of the Housing Act of 1959.

''(2) SUBSIDIZED PROJECT.—The term 'subsidized project' means a multifamily housing project that, immediately prior to the assignment of the mortgage on such project to, or the acquisition of such mortgage by, the Secretary, was receiving any of the following types of assistance:

''(A) Below market interest rate mortgage insurance under the proviso of section 221(d)(5) of the National Housing Act.

''(B) Interest reduction payments made in connection with mortgages insured under section 236 of the National Housing Act.

''(C) Direct loans made under section 202 of the Housing Act of 1959.

''(D) Assistance in the form of—

''(i) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965,

''(ii) additional assistance payments under section 236(f)(2) of the National Housing Act,

''(iii) housing assistance payments made under section 23 of the United States Housing Act of 1937 (as in effect before January 1, 1975), or

''(iv) housing assistance payments made under section 8 of the United States Housing Act of 1937 (excluding payments made for tenant-based assistance under section 8),

if (except for purposes of section 183(c) of the Housing and Community Development Act of 1987) such assistance payments are made to more than 50 percent of the units in the project.

''(3) FORMERLY SUBSIDIZED PROJECT.—The term 'formerly subsidized project' means a multifamily housing project owned by the Secretary that was a subsidized project immediately prior to its acquisition by the Secretary.

''(4) UNSUBSIDIZED PROJECT.—The term 'unsubsidized project' means a multifamily housing project owned by the Secretary that is not a subsidized project or a formerly subsidized project.

''(5) AFFORDABLE.—A unit shall be considered affordable if—

''(A) for units occupied—

''(i) by very low-income families, the rent does not exceed 30 percent of 50 percent of the area median income, as determined by the Secretary, with adjustments for smaller and larger families, except that the Secretary may establish the rent based on an amount higher or lower than 50 percent of the median for the area on the basis of the Secretary's findings that such variation is necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes; and

''(ii) by low-income families other than very low-income families, the rent does not exceed 30 percent of 80 percent of the area median income, as determined by the Secretary, except that the Secretary may establish the rent based on an amount higher or lower than 80 percent of the median for the area on the basis of the Secretary's findings that such variation is necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes; or

''(B) the unit, or the family residing in the unit, is receiving assistance under section 8 of the United States Housing Act of 1937.

''(6) LOW-INCOME FAMILIES AND VERY LOW-INCOME FAMILIES.—The terms 'low-income families' and 'very low-income families' shall have the meanings given the terms in section 3(b) of the United States Housing Act of 1937.

''(7) PREEXISTING TENANT.—The term 'preexisting tenant' means, with respect to a multifamily housing project, a family that—

''(A) resides in a unit in the project; and

''(B) immediately before foreclosure or acquisition of the project by the Secretary, was residing in a unit in the project.

''(8) MARKET AREA.—The term 'market area' means a market area determined by the Secretary for purposes of establishing fair market rentals under section 8(c) of the United States Housing Act of 1937.

''(9) SECRETARY.—The term 'Secretary' means the Secretary of Housing and Urban Development.

''(c) MANAGEMENT OR DISPOSITION OF PROPERTY.—

''(1) DISPOSITION TO PURCHASERS.—The Secretary may, in carrying out this section, dispose of a multifamily housing project owned by the Secretary on a negotiated, competitive bid, or other basis, on such terms as the Secretary deems appropriate considering the low-income character of the project and the market area in which the project is located and the requirements of subsection (a), to a purchaser determined by the Secretary to be capable of—

''(A) satisfying the conditions of the disposition;

''(B) implementing a sound financial and physical management program that is designed to enable the project to meet anticipated operating and repair expenses to ensure that the project will remain in decent, safe, and sanitary condition;

''(C) responding to the needs of the tenants and working cooperatively with tenant organizations;

''(D) providing adequate organizational, staff, and financial resources to the project; and

''(E) meeting such other requirements as the Secretary may determine.

''(2) CONTRACTING FOR MANAGEMENT SERVICES.—The Secretary may, in carrying out this section—

''(A) contract for management services for a multifamily housing project that is owned by the Secretary (or for which the Secretary is mortgagee in possession), on a negotiated, competitive bid, or other basis at a price determined by the Secretary to be reasonable, with a manager the Secretary has determined is capable of—

''(i) implementing a sound financial and physical management program that is designed to enable the project to meet anticipated operating and maintenance expenses to ensure that the project will remain in decent, safe, and sanitary condition;

''(ii) responding to the needs of the tenants and working cooperatively with tenant organizations;

''(iii) providing adequate organizational, staff, and other resources to implement a management program determined by the Secretary; and

''(iv) meeting such other requirements as the Secretary may determine;

''(B) require the owner of a multifamily housing project that is subject to a mortgage held by the Secretary to contract for management services for the project in the manner described in subparagraph (A); and

''(C) contract for management of such properties with nonprofit organizations and public agencies, including public housing authorities.

''(d) MAINTENANCE OF HOUSING PROJECTS.—

''(1) HOUSING PROJECTS OWNED BY THE SECRETARY.—In the case of multifamily housing projects that are owned by the Secretary (or for which the Secretary is mortgagee in possession), the Secretary shall—

''(A) to the greatest extent possible, maintain all such occupied projects in a decent, safe, and sanitary condition;

''(B) to the greatest extent possible, maintain full occupancy in all such projects; and

''(C) maintain all such projects for purposes of providing rental or cooperative housing.

''(2) HOUSING PROJECTS SUBJECT TO A MORTGAGE HELD BY SECRETARY.—In the case of any multifamily housing project that is subject to a mortgage held by the Secretary, the Secretary shall require the owner of the project to carry out the requirements of paragraph (1).

''(3) HOUSING STANDARDS.—In disposing of any multifamily housing project under this section, the Secretary shall enter into an agreement with the purchaser under which the purchaser agrees that the project will be rehabilitated so that it is in compliance with, and will be maintained in compliance with, any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of the housing and any such standards established by the Secretary.

''(e) REQUIRED ASSISTANCE.—In disposing of any multifamily housing property under this section, the Secretary shall take, separately or in combination, one or more of the following actions:

''(1) CONTRACT WITH OWNER FOR PROJECT-BASED ASSISTANCE.—In the case of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure or after sale by the Secretary, the Secretary may enter into contracts under section 8 of the United States Housing Act of 1937 (to the extent budget authority is available) with owners of the projects, subject to the following requirements:

''(A) SUBSIDIZED OR FORMERLY SUBSIDIZED PROJECTS RECEIVING MORTGAGE-RELATED ASSISTANCE.—In the case of a subsidized or formerly subsidized project referred to in subparagraphs (A) through (C) of subsection (b)(2)—

''(i) the contract shall be sufficient to assist at least all units covered by an assistance contract under any of the authorities referred to in subsection (b)(2)(D) before acquisition, unless the Secretary acts pursuant to the provisions of subparagraph (C);

''(ii) the contract shall provide that, when a vacancy occurs in any unit in the project requiring project-based rental assistance pursuant to this subparagraph that is occupied by a family who is not eligible for assistance under such section 8, the owner shall lease the available unit to a family eligible for assistance under such section 8; and

''(iii) the Secretary shall take actions to ensure that any unit in any such project that does not otherwise receive project-based assistance under this subparagraph remains available and affordable for the remaining useful life of the project, as defined by the Secretary; to carry out this clause, the Secretary may require purchasers to establish use or rent restrictions maintaining the affordability of such units.

''(B) SUBSIDIZED OR FORMERLY SUBSIDIZED PROJECTS RECEIVING RENTAL ASSISTANCE.—In the case of a subsidized or formerly subsidized project referred to in subsection (b)(2)(D) that is not subject to subparagraph (A)—

''(i) the contract shall be sufficient to assist at least all units in the project that are covered, or were covered immediately before foreclosure on or acquisition of the project by the Secretary, by an assistance contract under any of the provisions referred to in such subsection, unless the Secretary acts pursuant to provisions of subparagraph (C); and

''(ii) the contract shall provide that, when a vacancy occurs in any unit in the project requiring project-based rental assistance pursuant to this subparagraph that is occupied by a family who is not eligible for assistance under such section 8, the owner shall lease the available unit to a family eligible for assistance under such section 8.

''(C) EXCEPTIONS.—In lieu of providing project-based assistance under subparagraph (A)(i) or (B)(i) for a project, the Secretary may require certain units in unsubsidized projects to contain use restrictions providing that such units will be available to and affordable by very low-income families for the remaining useful life of the project, as defined by the Secretary, if—

''(i) the Secretary provides an increase in project-based assistance for very low-income persons for units within unsubsidized projects located within the same market area as the project otherwise required to be assisted with project-based assistance under subparagraph (A) or (B) that is at least equivalent to the units otherwise required to be so assisted; and

''(ii) upon disposition of the project, low-income families residing in units otherwise required to be assisted with project-based assistance under subparagraph (A) or (B) receive tenant-based assistance under such section 8.

''(D) UNSUBSIDIZED PROJECTS.—Notwithstanding actions taken pursuant to subparagraph (C), in the case of unsubsidized projects, the contract shall be sufficient to provide—

''(i) project-based rental assistance for all units that are covered, or were covered immediately before foreclosure or acquisition, by an assistance contract under—

''(I) the new construction and substantial rehabilitation program under section 8(b)(2) of the United States Housing Act of 1937 (as in effect before October 1, 1983);

''(II) the property disposition program under section 8(b) of such Act;

''(III) the project-based certificate program under section 8 of such Act;

''(IV) the moderate rehabilitation program under section 8(e)(2) of such Act;

''(V) section 23 of such Act (as in effect before January 1, 1975);

''(VI) the rent supplement program under section 101 of the Housing and Urban Development Act of 1965; or

''(VII) section 8 of the United States Housing Act of 1937, following conversion from assistance under section 101 of the Housing and Urban Development Act of 1965; and

''(ii) tenant-based assistance under section 8 of the United States Housing Act of 1937 for families that are preexisting tenants of the project in units that, immediately before foreclosure or acquisition of the project by the Secretary, were covered by an assistance contract under the loan management set-aside program under section 8(b) of the United States Housing Act of 1937 at such time.

''(2) ANNUAL CONTRIBUTION CONTRACTS FOR TENANT-BASED ASSISTANCE.—In the case of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure or after sale by the Secretary, the Secretary may enter into annual contribution contracts with public housing agencies to provide tenant-based assistance under section 8 of the United States Housing Act of 1937 on behalf of all low-income families who, on the date that the project is acquired by the purchaser, reside in the project and are eligible for such assistance, subject to the following requirements:

''(A) REQUIREMENT OF SUFFICIENT AFFORDABLE HOUSING IN AREA.—The Secretary may not take action under this paragraph unless the Secretary determines that there is available in the area an adequate supply of habitable, affordable housing for very low-income families and other low-income families.

''(B) LIMITATION FOR SUBSIDIZED AND FORMERLY SUBSIDIZED PROJECTS.—The Secretary may not take actions under this paragraph in connection with units in subsidized or formerly subsidized projects for more than 10 percent of the aggregate number of units in such projects disposed of by the Secretary annually.

''(C) PROVISION OF PROJECT-BASED ASSISTANCE UNDER CHANGED CIRCUMSTANCES.—The Secretary shall, to the extent such amounts are available, provide project-based assistance under section 8 of the United States Housing Act of 1937 for any units in a project for which the Secretary has provided tenant-based assistance under this paragraph if, and only to the extent that, the owner demonstrates to the satisfaction of the Secretary within 24 months after the date of acquisition by the owner that—

''(i) the provision of such project-based assistance (I) is necessary to maintain the financial viability of the project because of changes occurring after such acquisition that are beyond the control of the owner, and (II) may reasonably be expected to maintain such financial viability; or

''(ii) sufficient habitable, affordable housing for very low-income families and other low-income families is not available in the market area in which the project is located. Assistance provided pursuant to this subparagraph shall have a term of not more than 5 years.

''(3) OTHER ASSISTANCE.—

''(A) IN GENERAL.—In accordance with the authority provided under the National Housing Act, the Secretary may reduce the selling price, apply use or rent restrictions on certain units, or provide other financial assistance to the owners of multifamily housing projects that are acquired by a purchaser other than the Secretary at foreclosure, or after sale by the Secretary, on terms that ensure that—

''(i) at least the units in the project otherwise required to receive project-based assistance pursuant to subparagraphs (A), (B), or (D) of paragraph (1) are available to and affordable by low-income persons; and

''(ii) for the remaining useful life of the project, as defined by the Secretary, there shall be in force such use or rent restrictions as the Secretary may prescribe.

''(B) VERY LOW-INCOME TENANTS.—If, as a result of actions taken pursuant to this paragraph, the rents charged to any very low-income families residing in the project who are otherwise required (pursuant to subparagraph (A), (B), or (D) of paragraph (1)) to receive project-based assistance under section 8 of the United States Housing Act of 1937 exceed the amount payable as rent under section 3(a) of the United States Housing Act of 1937, the Secretary shall provide assistance under section 8 of such Act to such families.

''(4) TRANSFER FOR USE UNDER OTHER PROGRAMS OF SECRETARY.—

''(A) IN GENERAL.—The Secretary may transfer a multifamily housing project—

''(i) to a public housing agency for use of the project as public housing; or

''(ii) to an entity eligible to own or operate housing under assisted section 202 of the Housing Act of 1959 or under section 811 of the Cranston-Gonzalez National Affordable Housing Act for use as supportive housing under either of such sections.

''(B) REQUIREMENTS FOR AGREEMENT.—An agreement providing for the transfer of a project described in subparagraph (A) shall—

''(i) contain such terms, conditions, and limitations as the Secretary determines appropriate, including requirements to ensure use of the project as public housing, supportive housing under section 202 of the Housing Act of 1959, or supportive housing under section 811 of the Cranston-Gonzalez National Affordable Housing Act, as applicable; and

''(ii) ensure that no tenant of the project will be displaced as a result of actions taken under this paragraph.

''(f) DISCRETIONARY ASSISTANCE.—In addition to the actions taken under subsection (e) for a multifamily housing project, the Secretary may take any of the following actions:

''(1) SHORT-TERM LOANS.—The Secretary may provide a short-term loan to facilitate the sale of a multifamily housing project to a nonprofit organization or a public agency if—

''(A) authority for such loans is provided in advance in an appropriation Act;

''(B) such loan has a term of not more than 5 years;

''(C) the Secretary determines, based upon documentation provided to the Secretary, that the borrower has obtained a commitment of permanent financing to replace the short-term loan from a lender who meets standards established by the Secretary; and

''(D) the terms of such loan is consistent with prevailing practices in the marketplace or the provision of such loan results in no cost to the Government, as defined in section 502 of the Congressional Budget Act of 1974.

''(2) TENANT-BASED ASSISTANCE.—The Secretary may make available tenant-based assistance under section 8 of the United States Housing Act of 1937 to very low-income families residing in a multifamily housing project that do not otherwise qualify for project-based assistance.

''(3) ALTERNATIVE USES.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, after providing notice to and an opportunity to comment by existing tenants, the Secretary may allow not more than—

''(i) 10 percent of the total number of units in multifamily housing projects that are disposed of by the Secretary during any 1-year period to be made available for uses other than rental or cooperative uses, including low-income homeownership opportunities, or in any particular project, community space, office space for tenant or housing-related service providers or security programs, or small business uses, if such uses benefit the tenants of the project; and

''(ii) 5 percent of the total number of units in multifamily housing projects that are disposed of by the Secretary during any 1-year period to be used in any manner, if the Secretary and the unit of general local government or area-wide governing body determine that such use will further fair housing, community development, or neighborhood revitalization goals.

''(B) DISPLACEMENT PROTECTION.—The Secretary may take actions under subparagraph (A) only if—

''(i) tenant-based rental assistance under section 8 of the United States Housing Act of 1937 is made available to each eligible family residing in the project that is displaced as a result of such actions; and

''(ii) the Secretary determines that sufficient habitable, affordable rental housing is available in the market area in which the project is located to allow use of such assistance.

''(g) REQUIRED ASSISTANCE FOR CERTAIN PROJECTS.—In disposing under this section of multifamily housing projects, the Secretary shall, to the extent that such assistance is available—

''(1) in the case of any project located in a market area in which habitable, affordable rental housing for very low-income families is not sufficiently available, provide tenant-based or project-based rental assistance under section 8 of the United States Housing Act of 1937 (depending on the circumstances of the family) to very low-income families who are preexisting tenants of the project and do not otherwise qualify for project-based assistance; and

''(2) provide project-based assistance for very low-income families who are preexisting tenants of the project to the extent that such assistance is necessary to maintain the financial viability of the project and is reasonably expected to maintain such financial viability.

''(h) RENT RESTRICTIONS.—

''(1) AUTHORITY FOR USE IN UNSUBSIDIZED PROJECTS.—In carrying out the goals specified in subsection (a), the Secretary may require certain units in unsubsidized projects to be subject to use or rent restrictions providing that such units will be available to and affordable by very low-income persons for the remaining useful life of the property, as defined by the Secretary.

''(2) REQUIREMENT REGARDING SUBSIDIZED AND FORMERLY SUBSIDIZED PROJECTS.—In disposing under this section of any subsidized or formerly subsidized multifamily housing project, the Secretary shall require rent restrictions providing that any unassisted very low-income family who resides in a unit in the project on the date of disposition may not pay as rent for the unit an amount in excess of 30 percent of the adjusted income of the family at any time during the period beginning upon such disposition and ending upon the earlier of—

''(A) 15 years after such disposition; or

''(B) the time at which the family first fails to qualify as a very low-income family.

''(3) REQUIREMENT REGARDING UNSUBSIDIZED PROJECTS.— Unless the Secretary determines that the applicability of rent restrictions under this paragraph to a project would unreasonably impede the disposition of the project, in disposing under this section of any unsubsidized multifamily housing project the Secretary shall require rent restrictions providing that any unassisted very low-income family who resides in a unit in the project on the date of disposition may not pay as rent for the unit an amount in excess of 30 percent of the adjusted income of the family at any time during the period beginning upon such disposition and ending upon the earlier of—

''(A) 15 years after such disposition; or

''(B) the time at which the family first fails to qualify as a very low-income family.

''(4) PHASE-IN OF RENT INCREASES.—If the disposition under this section of any multifamily housing project results in any rent increases for any very low-income families who are preexisting tenants of the project and are paying less than 30 percent of the adjusted income of the family for rent, the Secretary shall provide that such rent increases shall be phased in equally over a period of not less than 3 years.

''(5) DEFINITION OF 'UNASSISTED VERY LOW-INCOME FAMILY'.—For purposes of this subsection, the term 'unassisted very low-income family' means a very low-income family who resides in a unit that is not assisted with project-based assistance under section 8 of the United States Housing Act of 1937 and on whose behalf tenant-based assistance under such section is not provided.

''(i) CONTRACT REQUIREMENTS.—Contracts for project-based rental assistance under section 8 of the United States Housing Act of 1937 provided pursuant to this section shall be subject to the following requirements:

''(1) CONTRACT TERM.—The contract shall have a term of 15 years, except that—

''(A) the term may be less than 15 years to the extent that the Secretary finds that, based on the rental charges and financing for the multifamily housing project to which the contract relates, the financial viability of the project can be maintained under a contract having such a term;

''(B) to the extent that units receive project-based assistance for a contract term of less than 15 years, the Secretary shall require that the mount of rent payable by tenants of the project for such units shall not exceed the amount payable for rent under section 3(a) of the United States Housing Act of 1937 for a period of at least 15 years; and

''(C) the term may be less than 15 years if such assistance is provided—

''(i) under a contract authorized under section 6 of the HUD Demonstration Act of 1993; and

''(ii) pursuant to a disposition plan under this section for a project that is determined by the Secretary to be otherwise in compliance with this section.

''(2) CONTRACT RENT.—

''(A) IN GENERAL.—The Secretary shall establish contract rents for section 8 project-based rental contracts issued under this section at levels that provide sufficient amounts for the necessary costs of rehabilitating and operating the multifamily housing project and do not exceed 144 percent of the existing housing fair market rentals for the market area in which the project assisted under the contract is located.

''(B) UP-FRONT GRANTS AND LOANS.—If the Secretary determines that action under this subparagraph is more cost-effective, the Secretary may utilize the budget authority provided for contracts issued under this section for project-based assistance under section 8 of the United States Housing Act of 1937 to (in addition to providing project-based section 8 rental assistance)—

''(i) provide up-front grants to nonprofit organizations or public housing agencies for the necessary cost of rehabilitation; or

''(ii) pay any cost to the Government, as defined in section 502 of the Congressional Budget Act of 1974, for loans made pursuant to subsection (f)(1).

''(j) DISPOSITION PLAN.—

''(1) IN GENERAL.—Prior to the sale of a multifamily housing project that is owned by the Secretary, the Secretary shall develop an initial disposition plan for the project that specifies the minimum terms and conditions of the Secretary for disposition of the project, the initial sales price that is acceptable to the Secretary, and the assistance that the Secretary plans to make available to a prospective purchaser in accordance with this section. The initial sales price shall be reasonably related to the intended use of the property after sale, any rehabilitation requirements for the project, the rents for units in the project that can be supported by the market, the amount of rental assistance available for the project under section 8 of the United States Housing Act of 1937, and the occupancy profile of the project.

''(2) COMMUNITY AND TENANT INPUT.—In carrying out this section, the Secretary shall develop procedures—

''(A) to obtain appropriate and timely input into disposition plans from officials of the unit of general local government affected, the community in which the project is situated, and the tenants of the project; and

''(B) to facilitate, where feasible and appropriate, the sale of multifamily housing projects to existing tenant organizations with demonstrated capacity, to public or nonprofit entities that represent or are affiliated with existing tenant organizations, or to other public or nonprofit entities.

''(3) TECHNICAL ASSISTANCE.—To carry out the procedures developed under paragraph (2), the Secretary may provide technical assistance, directly or indirectly, and may use amounts available for technical assistance under the Emergency Low Income Housing Preservation Act of 1987, subtitle C of the Low-Income Housing Preservation and Resident Homeownership Act of 1990, subtitle B of title IV of the Cranston-Gonzalez National Affordable Housing Act, or this section, for the provision of technical assistance under this paragraph. Recipients of technical assistance funding under the provisions referred to in this paragraph shall be per-

mitted to provide technical assistance to the extent of such funding under any of such provisions or under this paragraph, notwithstanding the source of the funding.

''(k) RIGHT OF FIRST REFUSAL FOR LOCAL AND STATE GOVERNMENT AGENCIES.—

''(1) NOTIFICATION OF ACQUISITION OF TITLE.—Not later than 30 days after acquiring title to a multifamily housing project, the Secretary shall notify the unit of general local government (which, for purposes of this subsection, shall include any public housing agency) for the area in which the project is located and the State agency or agencies designated by the Governor of the State in which the project is located of such acquisition.

''(2) RIGHT OF FIRST REFUSAL.—During the period beginning upon acquisition of title to a multifamily housing project and ending 45 days after completion of notification under paragraph (1), the Secretary may offer to sell and may sell the project only to the unit of general local government or the designated State agency.

''(3) EXPRESSION OF INTEREST.—The unit of general local government or designated State agency may submit to the Secretary a preliminary expression of interest in a project not later than 45 days after receiving notification from the Secretary under paragraph (1) regarding the project. The Secretary may take such actions as may be necessary to require the unit of general local government or designated State agency to substantiate such interest.

''(4) TIMELY EXPRESSION OF INTEREST.—If the unit of general local government or designated State agency has submitted an expression of interest in a project before the expiration of the 45-day period referred to in paragraph (3) and has substantiated such interest if requested, the Secretary, upon approval of a disposition plan for the project, shall—

''(A) notify the unit of general local government and designated State agency of the terms and conditions of the disposition plan; and

''(B) provide that, for 90 days after the date of such notification, only the unit of general local government or designated State agency may make an offer to purchase the project.

''(5) FAILURE TO TIMELY EXPRESS INTEREST.—If the unit of general local government or designated State agency does not timely express and, if requested, substantiate interest in a project as provided in paragraph (4), the Secretary may offer the project for sale to any interested person or entity upon approval of the disposition plan for the project.

''(6) ACCEPTANCE OF OFFERS.—If the unit of general local government or designated State agency timely expresses and, if requested, substantiates interest in a project as provided in paragraph (4), the Secretary shall accept an offer made by the unit of general local government or designated State agency during the 90-day period for the project under paragraph (4)(B) that complies with the terms and conditions of the disposition plan for the project. The Secretary may accept an offer that does not comply with the terms and conditions of the disposition plan if the Secretary determines that the offer will further the goals specified in subsection (a) by actions that include extension of the duration of low-income affordability restrictions or otherwise restructuring the transaction in a manner that enhances the long-term affordability for low-income persons. The Secretary may reduce the initial sales price in exchange for the extension of low-income affordability restrictions beyond the period of assistance contemplated by the attachment of assistance pursuant to subsection (i)(1) and in order to facilitate affordable rents.

''(7) FAILURE TO SELL TO LOCAL OR STATE GOVERNMENT AGENCY.—If the Secretary and the unit of general local government or designated State agency cannot reach agreement on an offer for purchase of a project within the 90-day period for the project under paragraph (4)(B), the Secretary may offer the project for sale to the general public.

''(8) PURCHASE BY UNIT OF GENERAL LOCAL GOVERNMENT OR DESIGNATED STATE AGENCY.—Notwithstanding any other provision of law, a unit of general local government (including a public housing agency) or designated State agency may purchase a subsidized or formerly subsidized project in accordance with this subsection.

''(9) APPLICABILITY.—This subsection shall apply to projects that are acquired on or after the effective date of this subsection. With respect to projects acquired before such effective date, the Secretary may apply—

''(A) the requirements of paragraphs (2) and (3) of section 203(e) (as in effect immediately before the effective date of this subsection); or

''(B) the requirements of paragraphs (1) through (7) of this subsection, if—

''(i) the Secretary gives the unit of general local government or designated State agency 45 days to express interest in the project; and

''(ii) the unit of general local government or designated State agency expresses interest in the project before the expiration of the 45-day period, and substantiates such interest if requested, within 90 days from the date of notification of the terms and conditions of the disposition plan to make an offer to purchase the project.

''(10) TRANSFER BY LOCAL OR STATE GOVERNMENT AGENCY PURCHASERS.—The Secretary shall permit units of general local government and designated State agencies to transfer multifamily housing projects acquired under the right of first refusal under this subsection to a private entity, but only if the local government or State agency clearly identifies its intention to transfer the project in the offer to purchase the property accepted by the Secretary under this subsection.

''(l) DISPLACEMENT OF TENANTS AND RELOCATION ASSISTANCE.—

''(1) IN GENERAL.—Whenever tenants will be displaced as a result of the disposition of, or repairs to, a multifamily housing project that is owned by the Secretary (or for which the Secretary is mortgagee in possession), the Secretary shall identify tenants who will be displaced and shall notify all such tenants of their pending displacement and of any relocation assistance that may be available. In the case of the disposition of tenants of a multifamily housing project that is not owned by the Secretary (and for which the Secretary is not mortgagee in possession), the Secretary shall require the owner of the project to carry out the requirements of this paragraph.

''(2) RIGHTS OF DISPLACED TENANTS.—The Secretary shall ensure for any such tenant (who continues to meet applicable qualification standards) the right—

''(A) to return, whenever possible, to a repaired unit;

''(B) to occupy a unit in another multifamily housing project owned by the Secretary;

''(C) to obtain housing assistance under the United States Housing Act of 1937; or

''(D) to receive any other available relocation assistance as the Secretary determines to be appropriate.

''(m) MORTGAGE AND PROJECT SALES.—

''(1) IN GENERAL.—The Secretary may not approve the sale of any loan or mortgage held by the Secretary (including any loan or mortgage owned by the Government National Mortgage Association) on any subsidized project or formerly subsidized project, unless such sale is made as part of a transaction that will ensure that such project will continue to operate at least until the maturity date of such loan or mortgage, in a manner that will provide rental housing on terms at least as advantageous to existing and future tenants as the terms required by the program under which the loan or mortgage was made or insured prior to the assignment of the loan or mortgage on such project to the Secretary.

''(2) SALE OF CERTAIN PROJECTS.—The Secretary may not approve the sale of any subsidized project—

''(A) that is subject to a mortgage held by the Secretary, or

''(B) if the sale transaction involves the provision of any additional subsidy funds by the Secretary or a recasting of the mortgage,

unless such sale is made as part of a transaction that will ensure that the project will continue to operate, at least until the maturity date of the loan or mortgage, in a manner that will provide rental housing on terms at least as advantageous to existing and future tenants as the terms required by the program under which the loan or mortgage was made or insured prior to the proposed sale of the project.

''(3) MORTGAGE SALES TO STATE AND LOCAL GOVERNMENTS.—Notwithstanding any provision of law that requires competitive sales or bidding, the Secretary may carry out negotiated sales of subsidized or formerly subsidized mortgages held by the Secretary, without the competitive selection of purchasers or intermediaries, to units of general local government or State agencies, or groups of investors that include at least one such unit of general local government or State agency, if the negotiations are conducted with such agencies, except that—

''(A) the terms of any such sale shall include the agreement of the purchasing agency or unit of local government or State agency to act as mortgagee or owner of a beneficial interest in such mortgages, in a manner consistent with maintaining the projects that are subject to such mortgages for occupancy by the general tenant group intended to be served by the applicable mortgage insurance program, including, to the extent the Secretary determines appropriate, authorizing such unit of local government or State agency to enforce the provisions of any regulatory agreement or other program requirements applicable to the related projects; and

''(B) the sales prices for such mortgages shall be, in the determination of the Secretary, the best prices that may be obtained for such mortgages from a unit of general local government or State agency, consistent with the expectation and intention that the projects financed will be retained for use under the applicable mortgage insurance program for the life of the initial mortgage insurance contract.

''(4) SALE OF MORTGAGES COVERING UNSUBSIDIZED PROJECTS.—Notwithstanding any other provision of law, the Secretary may sell mortgages held on unsubsidized projects on such terms and conditions as the Secretary may prescribe.

''(n) REPORT TO CONGRESS.—Not later than June 1 of each year, the Secretary shall submit to the Congress a report describing the status of multifamily housing projects owned by or subject to mortgages held by the Secretary. The report shall include—

''(1) the name, address, and size of each project;

''(2) the nature and date of assignment of each project;

''(3) the status of the mortgage for each project;

''(4) the physical condition of each project;

''(5) for each subsidized or formerly subsidized project, an occupancy profile of the

project, stating the income, family size, race, and ethnic origin of current residents and the rents paid by such residents;

''(6) the proportion of units in each project that are vacant;

''(7) the date on which the Secretary became mortgagee in possession of each project, if applicable;

''(8) the date and conditions of any foreclosure sale for a project;

''(9) the date of acquisition of each project by the Secretary, if applicable;

''(10) the date and conditions of any property disposition sale for a project;

''(11) a description of actions undertaken pursuant to this section, including a description of the effectiveness of such actions and any impediments to the disposition or management of multifamily housing projects;

''(12) a description of any of the functions performed in connection with this section that are contracted out to public or private entities or to States; and

''(13) a description of the activities carried out under subsection (k) during the preceding year.''.

(c) CLARIFICATION OF FEDERAL PREFERENCES.—

(1) PUBLIC HOUSING TENANCY.—Section 6(c)(4)(A)(i) of the United States Housing Act of 1937 (42 U.S.C. 1437d(c)(4)(A)(i)) is amended by inserting after ''displaced'' the following: ''(including displacement because of disposition of a multifamily housing project under section 203 of the Housing and Community Development Amendments of 1978)''.

(2) SECTION 8 ASSISTANCE.—Section 8(d)(1)(A)(i) of the United States Housing Act of 1937 (42 U.S.C. 1437f(d)(1)(A)(i)) is amended by inserting after ''displaced'' the following: ''(including displacement because of disposition of a multifamily housing project under section 203 of the Housing and Community Development Amendments of 1978)''.

(d) DEFINITION OF OWNER.—Section 8(f)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437f(f)(1)) is amended by inserting ''an agency of the Federal Government,'' after ''cooperative,''.

(e) AMENDMENT TO NATIONAL HOUSING ACT.—Title V of the National Housing Act (12 U.S.C. 1731a et seq.) is amended by adding at the end the following new section:

''PARTIAL PAYMENT OF CLAIMS ON MULTIFAMILY HOUSING PROJECTS

''SEC. 541. (a) AUTHORITY.—Notwithstanding any other provision of law, if the Secretary is requested to accept assignment of a mortgage insured by the Secretary that covers a multifamily housing project (as such term is defined in section 203(b) of the Housing and Community Development Amendments of 1978) and the Secretary determines that partial payment would be less costly to the Federal Government than other reasonable alternatives for maintaining the low-income character of the project, the Secretary may request the mortgagee, in lieu of assignment, to—

''(1) accept partial payment of the claim under the mortgage insurance contract; and

''(2) recast the mortgage, under such terms and conditions as the Secretary may determine.

''(b) REPAYMENT.—As a condition to a partial claim payment under this section, the mortgagor shall agree to repay to the Secretary the amount of such payment and such obligation shall be secured by a second mortgage on the property on such terms and conditions as the Secretary may determine.''.

(f) EFFECTIVE DATE.—The Secretary shall issue interim regulations necessary to implement the amendments made by subsections (b) through (d) not later than 90 days after the date of the enactment of this Act. Such interim regulations shall take effect upon issuance and invite public comment on the interim regulations. The Secretary shall issue final regulations to implement such amendments after opportunity for such public comment, but not later than 12 months after the date of issuance of such interim regulations.

SEC. 6002. SECTION 235 MORTGAGE REFINANCING.

Section 235(r) of the National Housing Act is amended—

(1) in paragraph (2)(C), by inserting after ''refinanced'' the following: '', plus the costs incurred in connection with the refinancing as described in paragraph (4)(B) to the extent that the amount for those costs is not otherwise included in the interest rate as permitted by subparagraph (E) or paid by the Secretary as authorized by paragraph (4)(B)'';

(2) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by inserting after ''otherwise)'' the following: ''and the mortgagee (with respect to the amount described in subparagraph (A))''; and

(B) in subparagraph (A), by inserting after ''mortgagor'' the following: ''and the mortgagee''; and

(3) by amending paragraph (5) to read as follows:

''(5) The Secretary shall use amounts of budget authority recaptured from assistance payments contracts relating to mortgages that are being refinanced for assistance payments contracts with respect to mortgages insured under this subsection. The Secretary may also make such recaptured amounts available for incentives under paragraph (4)(A) and the costs incurred in connection with the refinancing under paragraph (4)(B). For purposes of subsection (c)(3)(A), the amount of recaptured budget authority that the Secretary commits for assistance payments contracts relating to mortgages insured under this subsection and for amounts paid under paragraph (4) shall not be construed as unused.''.

SEC. 6003. USE OF EMERGENCY ASSISTANCE FUNDS FOR RESIDENCY IN MULTIFAMILY HOUSING DISPOSITION PROJECTS.

Section 203(f) of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z–11), as amended by section 6001 of this Act, is further amended by adding at the end the following new paragraph:

''(4) EMERGENCY ASSISTANCE FUNDS.—The Secretary may make arrangements with State agencies and units of general local government of States receiving emergency assistance under part A of title IV of the Social Security Act for the provision of assistance under such Act on behalf of eligible families who would reside in any multifamily housing projects.''.

SEC. 6004. ADDITIONAL EMPLOYEES TO FACILITATE DISPOSITION OF FHA INVENTORY PROPERTIES.

Notwithstanding any other provision of law, during fiscal years 1993, 1994, and 1995 amounts in the various funds of the Federal Housing Administration otherwise available to the Secretary of Housing and Urban Development for non-overhead expenses associated with processing, accounting, loan servicing, asset management, and disposition services may be used by the Secretary for personnel compensation and benefits for temporary employees of the Department of Housing and Urban Development employed to manage, service, and dispose of single family and multifamily properties insured by, assigned to, or owned by the Secretary. The Secretary may employ not more than 400 temporary employees at any one time using amounts made available pursuant to this section, no such employee may be employed in a temporary position pursuant to this section for a period in excess of 2 years, and such employees shall not be considered for purposes of any personnel ceiling applicable to the Department of Housing and Urban Development or any unit therein or any personnel ceiling applicable to temporary employees of the Federal Government.

SEC. 6005. HUD STREAMLINING.

The Secretary of Housing and Urban Development shall carry out the recommendation of the Report of the National Performance Review, issued on September 7, 1993, that the Department streamline its headquarters, regional, and field office structure and consolidate and reduce its size, without regard to the requirements of section 7(p) of the Department of Housing and Urban Development Act.

TITLE VII—DEPARTMENT OF THE INTERIOR

SEC. 7001. IMPROVEMENT OF MINERALS MANAGEMENT SERVICE ROYALTY COLLECTION.

(a) The Secretary of the Interior shall, by fiscal year 1995, direct the Minerals Management Service, Royalty Management Program, to develop and implement (1) an automated business information system to provide to its auditors a lease history that includes reference, royalty, production, financial, compliance history, pricing and valuation, and other information; (2) the optimum methods to identify and resolve anomalies and to verify that royalties are paid correctly; (3) a more efficient and cost-effective royalty collection process by instituting new compliance and enforcement measures, including assessments and penalties for erroneous reporting and underreporting; (4) pilot projects under which a State may assume mineral receipt collections on Federal lands within the State and where the State assumes 50 percent of the cost of such pilot project; and (5) such other actions as may be necessary to reduce royalty underpayment and increase revenue to the U.S. Treasury by an estimated total of $28 million by fiscal year 1999.

(b) The Federal Oil and Gas Royalty Management Act of 1982 (Public Law No. 97–451), 30 U.S.C. 1701 et seq.) is amended by adding a new subsection 111(h) as follows:

''PENALTY ASSESSMENT FOR SUBSTANTIAL UNDERREPORTING OF ROYALTY''

''SEC. 111. (h)(1) If there is any underreporting of royalty owed on production from any lease issued or administered by the Secretary for the production of oil, gas, coal, any other mineral, or geothermal steam, from any Federal or Indian lands or the Outer Continental Shelf, for any production month, by any person who is responsible for paying royalty, the Secretary may assess a penalty of 10 percent of the amount of that underreporting.

''(2) If there is a substantial underreporting of royalty owed on production from any lease issued or administered by the Secretary for the production of oil, gas, coal, any other mineral, or geothermal steam, from any Federal or Indian lands or the Outer Continental Shelf, for any production month, by any person who is responsible for paying royalty, the Secretary may assess a penalty of 20 percent of the amount of that substantial underreporting.

''(3) For purposes of this section, the term 'underreporting' means the difference between the royalty on the value of the production which should have been reported and the royalty on the value of the production which was reported, if the value of the production which should have been reported is greater than the value of the production which was reported. An underreporting constitutes a 'substantial underreporting' if such difference exceeds 10 percent of the royalty on the value of the production which should have been reported.

''(4) The Secretary shall not impose the assessment provided in paragraphs (1) or (2) if the person corrects the underreporting before the date the person receives notice from the Secretary that an underreporting may have occurred, or before 90 days after the date of enactment of this section, whichever is later.

''(5) The Secretary shall waive any portion of an assessment provided in paragraphs (1) or (2) attributable to that portion of the underreporting for which the person demonstrates that—

''(i) the person had written authorization from the Secretary to report royalty on the value of the production on the basis on which it was reported, or

''(ii) the person had substantial authority for reporting royalty on the value of the production on the basis on which it was reported, or

''(iii) the person previously had notified the Secretary, in such manner as the Secretary may by rule prescribe, of relevant reasons or facts affecting the royalty treatment of specific production which led to the underreporting, or

''(iv) the person meets any other exception which the Secretary may, by rule, establish.

''(6) All penalties collected under this subsection shall be deposited to the same accounts in the Treasury or paid to the same recipients in the same manner as the royalty with respect to which such penalty is paid.''.

SEC. 7002. PHASE OUT OF MINERAL INSTITUTE PROGRAM.

The Secretary of the Interior, beginning in fiscal year 1995, shall take action to phase out the Mining and Mineral Resources Research Institute Act of 1984, Public Law 98–409, as amended (98 Stat. 1536 through 1541 and 102 Stat. 2339 through 2341, 30 U.S.C. 1221 through 1230). There are hereby authorized to be appropriated under the Act the following amounts: fiscal year 1995—$6.5 million; fiscal year 1996—$5 million; fiscal year 1997—$3 million; and fiscal year 1998—$1.5 million. No further appropriations for this Act are authorized after September 30, 1998.

SEC. 7003. REORGANIZATION STUDY OF BUREAU OF INDIAN AFFAIRS.

(a) GENERAL AUTHORITY.—The Secretary of the Interior, with the active participation of Indian tribes, shall conduct a study of the reorganization of the Bureau of Indian Affairs.

(b) CONTENT.—The study conducted under subsection (a) shall include (but shall not be limited to)—

(1) an examination of the current structure of the Bureau of Indian Affairs and recommendations for structural changes to improve the implementation of Federal trust responsibilities toward Indian tribes;

(2) an examination of the current roles of the Central, Area, and Agency offices of the Bureau of Indian Affairs and recommendations to improve efficiency of the Bureau through reorganization;

(3) an examination of the efficiency of the Bureau of Indian Affairs in comparison with other Bureaus of the Department of the Interior;

(4) an examination of the barriers to the implementation of the 1988 amendments to the Indian Self-Determination and Education Assistance Act throughout the Department of the Interior and a proposed plan for effective implementation; and

(5) recommendations for the transfer of personnel and resources from the Central, Area, and Agency offices of the Bureau of Indian Affairs to Indian tribes.

(c) REPORT.—The Secretary shall complete the study conducted pursuant to this section and shall submit such study, together with recommendations and draft legislation to implement such recommendations, to the Congress within one year after the date of enactment of this Act.

SEC. 7004. TERMINATION OF ANNUAL DIRECT GRANT ASSISTANCE

(a) TERMINATION.—Pursuant to section 704(d) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (48 U.S.C. 1681 note), the annual payments under section 702 of the Covenant shall terminate as of September 30, 1993.

(b) REPEAL.—Sections 3 and 4 of the Act of March 24, 1976 (Public Law 94–241; 48 U.S.C. 1681 note), as amended, are repealed, effective October 1, 1993.

TITLE VIII—MISCELLANEOUS PROVISIONS

SEC. 8001. LIMITATION ON CERTAIN ANNUAL PAY ADJUSTMENTS.

Effective as of December 31, 1994—

(1) section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31(2)) is amended—

(A) by striking ''(2) Effective'' and inserting ''(2)(A) Subject to subparagraph (B), effective''; and

(B) by adding at the end the following:

''(B) In no event shall the percentage adjustment taking effect under subparagraph (A) in any calendar year (before rounding), in any rate of pay, exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule.'';

(2) section 104 of title 3, United States Code, is amended—

(A) in the first sentence by inserting ''(a)'' before ''The'';

(B) in the second sentence by striking ''Effective'' and inserting ''Subject to subsection (b), effective''; and

(C) by adding at the end the following:

''(b) In no event shall the percentage adjustment taking effect under the second and third sentences of subsection (a) in any calendar year (before rounding) exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5 in the rates of pay under the General Schedule.'';

(3) section 5318 of title 5, United States Code, is amended—

(A) in the first sentence by striking ''Effective'' and inserting ''(a) Subject to subsection (b), effective''; and

(B) by adding at the end the following:

''(b) In no event shall the percentage adjustment taking effect under subsection (a) in any calendar year (before rounding), in any rate of pay, exceed the percentage adjustment taking effect in such calendar year under section 5303 in the rates of pay under the General Schedule.''; and

(4) section 461(a) of title 28, United States Code, is amended—

(A) by striking ''(a) Effective'' and inserting ''(a)(1) Subject to paragraph (2), effective''; and

(B) by adding at the end the following:

''(2) In no event shall the percentage adjustment taking effect under paragraph (1) in any calendar year (before rounding), in any salary rate, exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5 in the rates of pay under the General Schedule.''.

SEC. 8002. REDUCTION OF FEDERAL FULL-TIME EQUIVALENT POSITIONS.

(a) DEFINITION.—For purposes of this section, the term ''agency'' means an Executive agency as defined under section 105 of title 5, United States Code, but does not include the General Accounting Office.

(b) LIMITATIONS ON FULL-TIME EQUIVALENT POSITIONS.—The President, through the Office of Management and Budget (in consultation with the Office of Personnel Management), shall ensure that the total number of full-time equivalent positions in all agencies shall not exceed—

(1) 2,053,600 during fiscal year 1994;

(2) 1,999,600 during fiscal year 1995;

(3) 1,945,600 during fiscal year 1996;

(4) 1,895,600 during fiscal year 1997; and

(5) 1,851,600 during fiscal year 1998.

(c) MONITORING AND NOTIFICATION.—The Office of Management and Budget, after consultation with the Office of Personnel Management, shall—

(1) continuously monitor all agencies and make a determination on the first date of each quarter of each applicable fiscal year of whether the requirements under subsection (b) are met; and

(2) notify the President and the Congress on the first date of each quarter of each applicable fiscal year of any determination that any requirement of subsection (b) is not met.

(d) COMPLIANCE.—If at any time during a fiscal year, the Office of Management and Budget notifies the President and the Congress that any requirement under subsection (b) is not met, no agency may hire any employee for any position in such agency until the Office of Management and Budget notifies the President and the Congress that the total number of full-time equivalent positions for all agencies equals or is less than the applicable number required under subsection (b).

(e) WAIVER.—

(1) EMERGENCIES.—Any provision of this section may be waived upon a determination by the President that—

(A) the existence of a state of war or other national security concern so requires; or

(B) the existence of an extraordinary emergency threatening life, health, safety, property, or the environment so requires.

(2) AGENCY EFFICIENCY OR CRITICAL MISSION.—

(A) Subsection (d) may be waived, in the case of a particular position or category of positions in an agency, upon a determination of the President that the efficiency of the agency or the performance of a critical agency mission so requires.

(B) Whenever the President grants a waiver pursuant to subparagraph (A), the President shall take all necessary actions to ensure that the overall limitations set forth in subsection (b) are not exceeded.

TITLE IX—DEPARTMENT OF LABOR

SEC. 9001. DETERRENCE OF FRAUD AND ABUSE IN FECA PROGRAM.

(a) Section 8102 of title 5, United States Code, is amended to redesignate subsection (b) as subsection (c), and to add the following new subsection (b):

''(b) An individual convicted of a violation of 18 U.S.C. 1920, as amended, or of any other fraud related to the application for or receipt of benefits under subchapter I or III of chapter 81 of title 5, shall forfeit, as of the date of the conviction, all entitlement to any prospective benefits provided by subchapter I or III for any injury occurring on or before the date of the conviction. Such a forfeiture of benefits shall be in addition to any action the Secretary may take under section 8106 or 8129 of title 5, United States Code.''.

(b) Section 8116 of title 5, United States Code, is amended by adding the following new subsection (e):

''(e) Notwithstanding any other provision of this title, no benefits under sections 8105 or 8106 of this subchapter shall be paid or provided to any individual during any period during which such individual is confined in a jail, prison, or other penal institution or correctional facility, pursuant to that individual's conviction of an offense that constituted a felony under applicable law, except where such individual has one or more dependents within the meaning of section 8110 of this subchapter, in which case the Secretary may, during the period of incar-

ceration, pay to such dependents a percentage of the benefits that would have been payable to such individual computed according to the percentages set forth in section 8133(a)(1)–(5) of this subchapter.''.

(c) Section 8116 of title 5, United States Code, is further amended by adding the following new subsection (f):

''(f) Notwithstanding the provisions of section 552a of this title, or any other provision of Federal or State law, any agency of the United States Government or of any State (or political subdivision thereof) shall make available to the Secretary, upon written request, the names and Social Security account numbers of individuals who are confined in a jail, prison or other penal institution or correctional facility under the jurisdiction of such agency, pursuant to such individuals' conviction of an offense that constituted a felony under applicable law, which the Secretary may require to carry out the provisions of this subsection.''.

(d) Section 1920 of title 18, United States Code, is amended to read as follows: ''Whoever knowingly and willfully falsifies, conceals, or covers up a material fact, or makes a false, fictitious, or fraudulent statement or representation, or makes or uses a false statement or report knowing the same to contain any false, fictitious or fraudulent statement or entry in connection with the application for or receipt of compensation or other benefit or payment under subchapter I or III of chapter 81 of title 5, United States Code, shall be punished by a fine of not more than $250,000, or by imprisonment for not more than five years, or both.''.

(e) Except as otherwise provided in this section, the amendments made by this section shall be effective on the date of enactment and shall apply to actions taken on or after the date of enactment both with respect to claims filed before the day of enactment and with respect to claims filed after such date.

(f) The amendments made by subsections (a), (b), and (c) of this section shall be effective on the date of enactment and shall apply to any person convicted or imprisoned on or after the date of enactment.

(g) The amendment made by subsection (d) of this section shall be effective on the date of enactment and shall apply to any claim, statement, representation, report, or other written document made or submitted in connection with a claim filed under subchapter I or III of chapter 81 of title 5, United States Code.

SEC. 9002. ENHANCEMENT OF REEMPLOYMENT PROGRAMS FOR FEDERAL EMPLOYEES DISABLED IN THE PERFORMANCE OF DUTY.

(a) Section 8104 of title 5, United States Code, is amended—

(1) by striking the comma after ''employment'' and by striking ''other than employment undertaken pursuant to such rehabilitation'' from subsection (b); and

(2) by adding the following new subsection (c):

''(c) The Secretary of Labor, as part of the vocational rehabilitation effort, may assist permanently disabled individuals in seeking and/or obtaining employment. The Secretary may reimburse an employer (including a Federal employer), who was not the employer at the time of injury and who agrees to employ a disabled beneficiary, for portions of the salary paid by such employer to the reemployed, disabled beneficiary. Any such sums shall be paid from the Employees' Compensation Fund.''.

(b) The Secretary of Labor is authorized to expand the Federal Employees' Compensation Act Periodic Roll Management Project to all offices of the Office of Workers' Compensation Program of the Department of Labor.

(c) The provisions of, and amendments made by, subsections (a) and (b) of this section shall be effective on the date of enactment.

SEC. 9003. WAGE DETERMINATIONS.

(a) The McNamara-O'Hara Service Contract Act, as amended (41 U.S.C. 351 et seq.) is amended by adding at the end the following new section:

''SEC. 11. To more effectively implement wage determination procedures, the Secretary of Labor is authorized to develop and implement an electronic data interchange system to request and obtain wage determinations required under the Act.''.

(b) The Davis-Bacon Act, as amended (41 U.S.C. 276a et seq.) is amended by adding at the end the following new section:

''SEC. 8. To more effectively implement wage determination procedures, the Secretary of Labor is authorized to develop and implement an electronic data interchange system to request and obtain wage determinations required under the Act.''.

(c) The amendments made by subsections (a) and (b) of this section shall be effective on the date of enactment.

SEC. 9004. ELIMINATION OF FILING REQUIREMENTS.

(a) Section 101(b) of the Employee Retirement Income Security Act of 1974 (ERISA) (29 U.S.C. 1021(b)) is amended by striking paragraphs (1), (2) and (3) and by redesignating paragraphs (4) and (5) as paragraphs (1) and (2), respectively.

(b) Section 102 of ERISA (29 U.S.C. 1022) is amended by striking paragraph (a)(2) and redesignating paragraph (a)(1) as subsection (a).

(c) Section 104(a)(1) of ERISA (29 U.S.C. 1024(a)(1)) is amended to read as follows:

''SEC. 104. (a)(1) The administrator of any employee benefit plan subject to this part shall file with the Secretary the annual report for a plan year within 210 days after the close of such year (or within such time as may be required by regulations promulgated by the Secretary in order to reduce duplicative filing). The Secretary shall make copies of such annual reports available for inspection in the public document room of the Department of Labor. The administrator shall also furnish to the Secretary, upon request, any documents relating to the employee benefit plan including but not limited to the summary plan description, description of material modifications to the plan, bargaining agreement, trust agreement, contract, or other instrument under which the plan is established or operated.''.

(d) Section 104(b) of ERISA (29 U.S.C. 1024(b)) is amended by adding at the end the following new paragraph:

''(5) The Secretary shall, upon written request of any participant or beneficiary of a plan for a copy of any documents described in paragraph (4), make a written request to the plan administrator for copies of such documents. The plan administrator shall comply with such request from the Secretary. Upon obtaining such copies from the plan administrator, the Secretary shall provide them to the requesting participant or beneficiary. In making a request under this paragraph to the plan administrator, the Secretary shall not disclose to the plan administrator the identity of the participant or beneficiary. The administrator may make a reasonable charge to cover the cost of furnishing such complete copies consistent with any regulations issued by the Secretary pursuant to paragraph (4). The Secretary may require the participant or beneficiary to reimburse the Secretary for such charges before the participant receives the requested copies.''.

(e) Section 106(a) of ERISA (29 U.S.C. 1026(a)) is amended by striking ''descriptions,''.

(f) Section 107 of ERISA (29 U.S.C. 1027) is amended by striking ''description or''.

(g) Section 108 of ERISA (29 U.S.C. 1028) is amended by striking ''(B) after publishing or filing the plan description, annual reports,'' and inserting ''(B) after publishing the plan description, or after publishing or filing the annual reports,''.

(h) Section 109(b) of ERISA (29 U.S.C. 1029(b)) is amended to read as follows:

''(b) The financial statement and opinion required to be prepared by an independent qualified public accountant pursuant to section 103(a)(3)(A) and the actuarial statement required to be prepared by an enrolled actuary pursuant to section 103(a)(4)(A) shall not be required to be submitted on forms.''.

(i) Section 502(c) of ERISA is amended by adding at the end the following new paragraph:

''(4) The Secretary may assess a civil penalty against any plan administrator of up to $100 per day from the date of such plan administrator's failure or refusal to comply with a request for documents which such administrator is required to furnish to the Secretary (unless such failure or refusal results from matters reasonably beyond the control of the administrator) pursuant to section 104(b)(5) by mailing the material requested to the address provided by the Secretary within 30 days after such request.''.

(j) EFFECTIVE DATE.—The provisions of this section shall take effect on the date of enactment of this Act.

TITLE X—DEPARTMENT OF STATE AND UNITED STATES INFORMATION AGENCY

SEC. 10001. IMPROVEMENT OF EFFICIENCY OF STATE DEPARTMENT ACTIVITIES.

The Secretary of State shall take action to improve the efficiency of the activities of the Department of State and save a total of $5,700,000 by the end of fiscal year 1999.

SEC. 10002. IMPROVEMENT OF EFFICIENCY OF USIA PUBLIC DIPLOMACY ACTIVITIES.

The Director of the United States Information Agency (USIA) shall take action to improve the efficiency of USIA's public diplomacy activities and save a total of $15,000,000 by the end of fiscal year 1999.

TITLE XI—DEPARTMENT OF TRANSPORTATION

SEC. 11001. REEMPLOYMENT RIGHTS FOR CERTAIN MERCHANT SEAMEN.

(a) IN GENERAL.—Title III of the Merchant Marine Act, 1936 (46 App. U.S.C. 1131) is amended by inserting after section 301 the following new section:

''SEC. 302. (a) An individual who is certified by the Secretary of Transportation under subsection (c) shall be entitled to reemployment rights and other benefits substantially equivalent to the rights and benefits provided for by chapter 43 of title 38, United States Code, for any member of a Reserve component of the Armed Forces of the United States who is ordered to active duty.

''(b) An individual may submit an application for certification under subsection (c) to the Secretary of Transportation not later than 45 days after the date the individual completes a period of employment described in subsection (c)(1)(A) with respect to which the application is submitted.

''(c) Not later than 20 days after the date the Secretary of Transportation receives from an individual an application for certification under this subsection, the Secretary shall—

''(1) determine whether or not the individual—

''(A) was employed in the activation or operation of a vessel—

''(i) in the National Defense Reserve Fleet maintained under section 11 of the Merchant Ship Sales Act of 1946, in a period in which that vessel was in use or being activated for use under subsection (b) of that section;

''(ii) that is requisitioned or purchased under section 902 of this Act; or

''(iii) that is owned, chartered, or controlled by the United States and used by the United States for a war, armed conflict, national emergency, or maritime mobilization need (including for training purposes or testing for readiness and suitability for mission performance); and

''(B) during the period of that employment, possessed a valid license, certificate of registry, or merchant mariner's document issued under chapter 71 or chapter 73 (as applicable) of title 46, United States Code; and

''(2) if the Secretary makes affirmative determinations under paragraph (1) (A) and (B), certify that individual under this subsection.

''(d) For purposes of reemployment rights and benefits provided by this section, a certification under subsection (c) shall be considered to be the equivalent of a certificate referred to in clause (1) of section 4301(a) of title 38, United States Code.''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to employment described in section 302(c)(1)(A) of the Merchant Marine Act, 1936, as amended by subsection (a), occurring after August 2, 1990.

(c) EMPLOYMENT ENDING BEFORE ENACTMENT.—Notwithstanding subsection (b) of section 302 of the Merchant Marine Act, 1936, as amended by this Act, an individual who, in the period beginning August 2, 1990, and ending on the date of the enactment of this Act, completed a period of employment described in subsection (c)(1)(A) of that section may submit an application for certification under subsection (c) of that section with respect to that employment not later than 45 days after the date of the enactment of this Act.

(d) REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Transportation shall issue regulations implementing this section.

SEC. 11102. REFORM OF ESSENTIAL AIR SERVICE PROGRAM.

Section 419 of the Federal Aviation Act of 1958 (49 App. U.S.C. 1389) is amended—

(1) in subsection (a) by striking paragraph (2) and inserting the following:

''(2) RESTRICTIONS ON QUALIFICATIONS AS AN ELIGIBLE POINT.—To qualify as an eligible point in the 48 contiguous states, Hawaii, and Puerto Rico for purposes of fiscal year 1995 and thereafter, a point described in paragraph (1) must not require a rate of subsidy per passenger in excess of $200 unless such point is more than 210 miles from the nearest large or medium hub airport and may not be located fewer than 70 highway miles from the nearest large or medium hub airport;'' and

(2) in subsection (l) by striking paragraph (2) and inserting the following:

''(2) AMOUNTS AVAILABLE.—There shall be available to the Secretary from the Airport and Airway Trust Fund to incur obligations under this section $33,423,077 per fiscal year for each of fiscal years 1994 through 1999. Such amounts shall remain available until expended. Unobligated balances that remain available as of September 30, 1994, are rescinded.''.

SEC. 11003. AIRWAY SCIENCE PROGRAM.

(a) REPEAL.—All authority for—

(1) the Secretary of Transportation to enter into grant agreements with universities or colleges having an airway science curriculum recognized by the Federal Aviation Administration, to conduct demonstration projects in the development, advancement, or expansion of airway science programs; and

(2) the Federal Aviation Administration to enter into competitive grant agreements with institutions of higher education having airway science curricula, and all authorizations to appropriate for such purposes, as enacted under the head, ''Federal Aviation Administration, Facilities and Equipment'', in the Department of Transportation and Related Agencies Appropriations Acts for fiscal years ending before October 1, 1993;

is repealed.

(b) LIMITATION.—Subsection (a) shall not affect the authority of the Secretary to enter into grant agreements with universities, colleges, or institutions of higher education to obligate funds appropriated for fiscal years ending before October 1, 1993, which have not been rescinded.

SEC. 11004. COLLEGIATE TRAINING INITIATIVE.

(a) IN GENERAL.—Section 313(d) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1354(d)) is amended—

(1) by striking the subsection heading and all that follows through ''The Administrator'' and inserting the following:

''(d) TRAINING SCHOOLS.—

''(1) IN GENERAL.—The Administrator'';

(2) by moving the text of paragraph (1), as so designated, 2 ems to the right; and

(3) by adding at the end the following:

''(2) COLLEGIATE TRAINING INITIATIVE.—

''(A) CONTINUATION.—The Administrator of the Federal Aviation Administration may continue the Collegiate Training Initiative program, by entering into new agreements, with post-secondary institutions, as defined by the Administrator, whereby such institutions, without cost to the Federal Aviation Administration, prepare students for the position of air traffic controller with the Department of Transportation, as defined in section 2109 of title 5, United States Code.

''(B) STANDARDS.—The Administrator may establish standards for the entry of institutions into such program and for their continued participation in it.

''(C) APPOINTMENT IN EXCEPTED SERVICE.—The Administrator may appoint persons who have successfully completed a course of training in such program to the position of air traffic controller noncompetitively in the excepted service, as defined in section 2103 of title 5, United States Code. Persons so appointed shall serve at the pleasure of the Administrator, subject to section 7511 of such title (pertaining to adverse actions). However, an appointment under this subparagraph may be converted from one in the excepted service to a career conditional or career appointment in the competitive civil service, as defined in section 2102 of such title when the incumbent achieves full performance level air traffic controller status, as determined by the Administrator. The authority conferred by this subparagraph to make new appointments in the excepted service shall expire at the end of 5 years from the date of the enactment of this subparagraph; except that the Administrator may determine to extend such authority for 1 or more successive 1-year periods thereafter.''.

(b) CONFORMING AMENDMENT.—Section 362 of the Department of Transportation and Related Agencies Appropriations Act, 1993 (106 Stat. 1560) is repealed.

(c) LIMITATION.—The repeal and the amendments made by this section shall not prohibit the expenditure of funds appropriated for fiscal years ending before October 1, 1994.

TITLE XII—DEPARTMENT OF VETERANS AFFAIRS

Subtitle A—Administrative Improvements

SEC. 12001. ELIMINATION OF HOSPITAL AND NURSING HOME BED CAPACITY REQUIREMENTS.

(a) Section 8110(a)(1) of title 38, United States Code, is amended—

(1) by striking ''at not more than 125,000 and not less than 100,000''; and

(2) by striking the third and fourth sentences.

(b) Section 8111(a) of such title is amended by striking out ''result (1)'' and all that follows through ''maintained or''.

SEC. 12002. ELIMINATION OF REQUIREMENT FOR MINIMUM NUMBER OF PERSONNEL IN THE OFFICE OF INSPECTOR GENERAL.

Subsection (b) of section 312 of title 38, United States Code, is amended to read as follows:

''(b) Whenever the Secretary proposes to reduce the authorized number of full-time equivalent employees assigned to the Office of Inspector General, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report providing notice of the proposed reduction and a detailed explanation for the proposed reduction. No action to carry out the proposed reduction may be taken after the submission of such report until the end of a 45-day period of continuous session of Congress (determined in the same manner as specified in the last sentence of section 510(b) of this title) following the date of the submission of the report.''.

SEC. 12003. MODIFICATION OF ADMINISTRATIVE REORGANIZATION AUTHORITY.

(a) MODIFICATION OF REQUIREMENT TO REPORT TO CONGRESS.—Section 510 of title 38, United States Code, is amended by striking out ''90-day'' both places it appears in subsection (b) and inserting in lieu thereof ''45-day''.

(b) AUTHORITY TO REORGANIZE OFFICES IN EVENT OF EMERGENCY.—Such section is further amended by striking out subsection (d) and inserting the following:

''(d)(1) The limitation in subsection (b) does not apply with respect to an administrative reorganization at a medical facility if the Secretary determines that the reorganization is necessary to respond to an emergency situation at that facility. The Secretary may determine that there is an emergency situation at a medical facility for purposes of this subsection only in a case in which there would be an immediate danger to patients and employees at that facility without the reorganization. In the case of a facility at which officials of the Department are considering whether to implement an administrative reorganization before the event or occurrence which leads to an initial finding that such an emergency exists, the Secretary may not make such a determination.

''(2) Whenever the Secretary determines under paragraph (1) that it is necessary to carry out an administrative reorganization at a medical facility without regard to the limitation in subsection (b), the Secretary shall submit a report on that determination to the Committees on Veterans' Affairs of the Senate and House of Representatives. The report shall provide the same information as is provided in a detailed plan and justification in the case of an administrative reorganization subject to subsection (b). The Secretary shall include in the report an explanation of the alternatives to the proposed administrative reorganization that were considered and each factor that was considered in the decision to reject each such alternative.''.

SEC. 12004. ELIMINATION OF REQUIREMENT FOR CERTAIN SERVICES IN THE VETERANS HEALTH ADMINISTRATION.

(a) Section 7305 of title 38, United States Code, is repealed.

(b) The table of sections at the beginning of chapter 73 of such title is amended by striking the item relating to section 7305.

SEC. 12005. MODIFICATION OF PHYSICIAN REQUIREMENT FOR CERTAIN SENIOR VETERANS HEALTH ADMINISTRATION OFFICIALS.

(a) UNDER SECRETARY.—Section 305 of title 38, United States Code, is amended—

(1) in subsection (a)(2), by striking out ''shall be a doctor of medicine and shall be''

and inserting in lieu thereof ''shall (except as provided in subsection (d)(1)) be a doctor of medicine. The Under Secretary shall be'';

(2) in subsection (d)—

(A) by adding at the end of paragraph (1) the following: ''If at the time such a commission is established both the position of Deputy Under Secretary for Health and the position of Associate Deputy Under Secretary for Health are held by individuals who are doctors of medicine, the individual appointed by the President as Under Secretary for Health may be someone who is not a doctor of medicine. In any case, the Secretary shall develop, and shall furnish to the commission, specific criteria which the commission shall use in evaluating individuals for recommendations under paragraph (3).'';

(B) by redesignating paragraph (4) as paragraph (5);

(C) by inserting after the first sentence of paragraph (3) the following: ''In a case in which, pursuant to paragraph (1), the individual to be appointed as Under Secretary does not have to be a doctor of medicine, the commission may make recommendations without regard to the requirement in subsection (a)(2)(A) that the Under Secretary be appointed on the basis of demonstrated ability in the medical profession, but in such a case the commission shall accord a priority to the selection of a doctor of medicine over an individual who is not a doctor of medicine.''; and

(D) by designating the last two sentences of paragraph (3) as paragraph (4).

(b) DEPUTY AND ASSOCIATE DEPUTY UNDER SECRETARY.—Section 7306 of such title is amended—

(1) in subsection (a)—

(A) by striking out ''of the following:'' in the matter preceding paragraph (1) and inserting in lieu thereof ''such personnel as may be considered necessary for the purposes of this chapter. In appointing persons to positions in the Office, the Under Secretary shall consider the different types of health care services provided to veterans by the Veterans Health Administration and shall seek to ensure that appointments in the Office are made in such a manner that the Office is staffed so as to provide the Under Secretary with appropriate expertise in those services. The Office shall include the following:'';

(B) by inserting ''(except as provided in subsection (c))'' in paragraphs (1) and (2) after ''and who shall'';

(C) by striking out each paragraph after paragraph (2);

(2) by striking out subsection (b);

(3) by redesignating subsection (c) as subsection (b) and striking out ''In the case of'' in the second sentence and all that follows through ''such appointments'' and inserting in lieu thereof ''Such appointments''; and

(4) by inserting after subsection (b), as so redesignated, the following new subsection (c):

''(c)(1) If at the time of the appointment of the Deputy Under Secretary for Health under subsection (a)(1), both the position of Under Secretary for Health and the position of Associate Deputy Under Secretary for Health are held by individuals who are doctors of medicine, the individual appointed as Deputy Under Secretary for Health may be someone who is not a doctor of medicine.

''(2) If at the time of the appointment of the Associate Deputy Under Secretary for Health under subsection (a)(2), both the position of Under Secretary for Health and the position of Deputy Under Secretary for Health are held by individuals who are doctors of medicine, the individual appointed as Associate Deputy Under Secretary for Health may be someone who is not a doctor of medicine.''.

SEC. 12006. USE OF FUNDS RECOVERED FROM THIRD PARTIES.

(a) AUTHORIZED USES.—Section 1729(g) of title 38, United States Code, is amended by adding at the end of paragraph (3) the following new subparagraph:

''(C) Payments for (i) the purchase of needed medical equipment, and (ii) such other purposes as may be specifically authorized by law.''.

(b) AVAILABILITY OF FUNDS.—Such section is further amended by striking out paragraph (4) and inserting the following:

''(4)(A) Not later than December 1 of each year, there shall be set aside within the Fund a reserve to be used for the purposes described in paragraph (3)(C). The amount placed into the reserve each year shall be determined under subparagraph (B). No funds may be obligated under paragraph (3)(C) in excess of the funds in the reserve. The reserve shall remain available for obligation until expended.

''(B)(i) On December 1, 1993, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1993, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $538,600,000.

''(ii) On December 1, 1994, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1994, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $590,500,000.

''(iii) On December 1, 1995, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1995, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $646,000,000.

''(iv) On December 1, 1996, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1996, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $698,100,000.

''(v) On December 1, 1997, the amount set aside for the reserve under subparagraph (A) shall be the amount by which—

''(I) the unobligated balance remaining in the Fund at the close of business on September 30, 1997, minus any part of such balance that the Secretary determines is necessary to defray, the expenses, payments, and costs described in paragraph (3), exceeds

''(II) $753,500,000.

''(C) If the amount to be set aside for the reserve for any year, as calculated under subparagraph (B), is less than zero, the amount added to the reserve for that year shall be zero.

''(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 the unobligated balance remaining in the Fund at the close of business on September 30 of the preceding year minus any part of such balance that the Secretary determines is necessary in order to enable the Secretary to defray, during the fiscal year in which the deposit is made, the expenses, payments, and costs described in paragraph (3), and the amount in the reserve described in paragraph (4).

''(6) The Secretary shall prescribe regulations for the allocation of amounts in the reserve under paragraph (4) to the medical centers of the Department for the purposes stated in paragraph (3)(C). Those regulations shall be designed to provide incentives to directors of medical centers to increase the recoveries and collections under this section by requiring that 20 percent of those amounts be made available each year directly to the medical centers at which such recoveries and collections have been at above average levels. The remaining 80 percent of those funds shall be allocated as the Secretary considers appropriate.''.

Subtitle B—Closure of Certain Facilities

SEC. 12101. CLOSURE OF SUPPLY DEPOTS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall close the Department of Veterans Affairs' supply depots specified in subsection (b).

(b) COVERED DEPOTS.—Subsection (a) applies to the supply depots of the Department of Veterans Affairs at the following locations:

(1) Somerville, New Jersey.

(2) Hines, Illinois.

(3) Bell, California.

(c) DEADLINE.—The Secretary shall complete the actions required by subsection (a) not later than September 30, 1995.

SEC. 12102. WAIVER OF OTHER PROVISIONS.

Sections 510(b) and 8121 of title 38, United States Code, do not apply to the actions required under this subtitle.

Subtitle C—Provision of Information From the Medicare and Medicaid Coverage Data Bank to the Department of Veterans Affairs

SEC. 12201. PROVISION OF DATA BANK INFORMATION TO DEPARTMENT OF VETERANS AFFAIRS.

(a) ADDITIONAL PURPOSE OF DATA BANK.—

(1) The heading to section 1144 of the Social Security Act is amended by striking ''**medicare and medicaid**'' and inserting ''**Health care**''.

(2) Subsection (a) of that section is amended—

(A) in the matter preceding paragraph (1), by striking ''Medicare and Medicaid'' and inserting ''Health Care'';

(B) by striking ''and'' at the end of paragraph (1);

(C) by substituting '', and'' for the period at the end of paragraph (2); and

(D) by adding at the end the following:

''(3) assist in the identification of, and the collection from, third parties responsible for payment for health care items and services furnished to veterans under chapter 17 of title 38, United States Code.''.

(b) DISCLOSURE OF DATA BANK INFORMATION TO SECRETARY OF VETERANS AFFAIRS.—Subsection (b)(2)(B) of that section is amended by inserting ''to the Secretary of Veterans Affairs and'' after ''Data Bank''.

Subtitle D—Veterans' Appeals Improvements

SEC. 12301. BOARD OF VETERANS' APPEALS.

(a) BOARD MEMBERS AND PERSONNEL.—Section 7101(a) of title 38, United States Code, is amended to read as follows:

''(a)(1) There is in the Department a Board of Veterans' Appeals (hereinafter in this chapter referred to as the 'Board'). The Board is under the administrative control and supervision of a Chairman directly responsible to the Secretary.

''(2) The members of the Board shall be the Chairman, a Vice Chairman, such number of Deputy Vice Chairmen as the Chairman may designate under subsection (b)(4), and such number of other members as may be found necessary to conduct hearings and consider and dispose of matters properly before the Board in a timely manner. The Board shall

have such other professional, administrative, clerical, and stenographic personnel as are necessary to conduct hearings and consider and dispose of matters properly before the Board in a timely manner.''.

(b) ETHICAL AND LEGAL LIMITATIONS ON CHAIRMAN.—Section 7101(b)(1) of such title is amended by inserting after the first sentence the following: ''The Chairman shall be subject to the same ethical and legal limitations and restrictions concerning involvement in partisan political activities as apply to judges of the United States Court of Veterans Appeals.''.

(c) APPOINTMENT AND REMOVAL OF BOARD MEMBERS.—Section 7101(b) of such title is further amended—

(1) in paragraph (2)(A) by striking ''other members of the Board (including the Vice Chairman)'' and inserting ''Board members other than the Chairman'';

(2) in paragraph (2)(B) by striking ''paragraph'' and inserting ''subparagraph''; and

(3) by striking paragraph (4) and inserting the following:

''(4) The Secretary shall designate one Board member as Vice Chairman based upon recommendations of the Chairman. The Chairman may designate one or more Board members as Deputy Vice Chairmen. The Vice Chairman and any Deputy Vice Chairman shall perform such functions as the Chairman may specify. The Vice Chairman shall serve as Vice Chairman at the pleasure of the Secretary. Any Deputy Vice Chairman shall serve as Deputy Vice Chairman at the pleasure of the Chairman.''.

(d) ACTING BOARD MEMBERS.—Section 7101(c) of such title is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) The Chairman may from time to time designate one or more employees of the Department to serve as acting Board members.'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2) and in that paragraph by—

(A) striking ''temporary Board members designated under this subsection and the number of''; and

(B) striking ''section 7102(a)(2)(A)(ii) of this title'' and inserting ''paragraph (1)''.

(e) CHAIRMAN'S ANNUAL REPORT.—Section 7101(d)(2) of such title is amended—

(1) by striking out ''and'' at the end of subparagraph (D);

(2) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof ''; and''; and

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

''(F) the names of those employees of the Department designated under subsection (c)(1) to serve as acting Board members during that year and the number of cases each such acting Board member participated in during that year.''.

(e) CONFORMING AMENDMENTS.—Section 7101 of such title is further amended—

(1) in subsection (d)(3)(B), by striking ''section 7103(d)'' and inserting ''section 7101(a)(2)''; and

(2) in subsection (e), by striking ''a temporary or'' and inserting ''an''

SEC. 12302. DECISIONS BY THE BOARD.

(a) ACTION BY BVA THROUGH SECTIONS.—Sections 7102 and 7103 of title 38, United States Code, are amended to read as follows:

''§ 7102. Decisions by the Board

''A proceeding instituted before the Board shall be assigned to an individual member or a panel of members of the Board (other than the Chairman). A member or panel of members who are assigned a proceeding shall render a decision thereon, including any motion filed in connection therewith. The member or panel of members shall make a report under section 7104(d) of this title on any such determination, which report shall constitute the Board's final disposition of the proceeding. Decisions by a panel shall be made by a majority of the members of the panel.

''§ 7103. Reconsideration; correction of obvious errors

''(a) The decision of a member or panel of the Board under section 7102 of this title is final unless the Chairman orders reconsideration of the case. Such an order may be made on the Chairman's initiative or upon motion of the claimant.

''(b)(1) If the Chairman orders reconsideration in a case decided by a single member, the matter shall be referred to a panel of not less than three Board members, not including the member who rendered the initial decision, which shall render its decision after reviewing the entire record before the Board. Such decisions shall be made by a majority vote of the members of the panel and shall constitute the final decision of the Board.

''(2) If the Chairman orders reconsideration in a case decided by a panel of members, the matter shall be referred to an enlarged panel, not including the members of the panel which rendered the initial decision, which shall render its decision after reviewing the entire record before the Board. Such decisions shall be made by a majority vote of the members of the expanded panel and shall constitute the final decision of the Board.

''(c) The Board on its own motion may correct an obvious error in the record, without regard to whether there has been a motion or order for reconsideration.''.

(b) CLERICAL AMENDMENT.—The items relating to sections 7102 and 7103 in the table of sections at the beginning of chapter 71 are amended to read as follows:

''7102. Decisions by the Board.
''7103. Reconsideration; correction of obvious errors.''.

SEC. 12303. TECHNICAL CORRECTION.

Section 7104(a) of title 38, United States Code, is amended by striking out ''211(a)'' and inserting in lieu thereof ''511(a)''.

SEC. 12304. HEARINGS.

(a) IN GENERAL.—Section 7110 of title 38, United States Code, is amended to read as follows:

''§ 7110. Hearings

''(a) The Board shall decide any appeal only after affording the appellant an opportunity for a hearing.

''(b) A hearing docket shall be maintained and formal recorded hearings shall be held by such member or members of the Board as the Chairman may designate. Such member or members designated by the Chairman to conduct the hearing will participate in making the final determination in the claim.

''(c)(1) An appellant may request a hearing before the Board at either its principal location or at a regional office of the Department. A hearing held at a regional office shall (except as provided in paragraph (2)) be scheduled for hearing in the order in which the requests for hearing in that area are received by the Department at the place specified by the Department for the filing of requests for those hearings.

''(2) In a case in which the Secretary is aware that the appellant is seriously ill or is under severe financial hardship, a hearing may be scheduled at a time earlier than would be provided under paragraph (1).

''(d) At the request of the Chairman, the Secretary may provide suitable facilities and equipment to the Board or other components of the Department to enable an appellant located at a facility within the area served by a regional office to participate, through voice transmission, or picture and voice transmission, by electronic or other means, in a hearing with a Board member or members sitting at the Board's principal location. When such facilities and equipment are available, the Chairman may afford the appellant an opportunity to participate in a hearing before the Board through the use of such facilities and equipment in lieu of a hearing held by personally appearing before a Board member or members as provided in subsection (c). Any such hearing shall be conducted in the same manner as, and shall be considered the equivalent of, a personal hearing. If the appellant declines to participate in a hearing through the use of such facilities and equipment, the opportunity of the appellant to a hearing as provided in subsection (c) shall not be affected.''.

(b) CLERICAL AMENDMENT.—The item relating to section 7110 in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

''7110. Hearings.''.

SEC. 12305. ELIMINATION OF REQUIREMENT FOR ANNUAL INCOME QUESTIONNAIRES.

Section 1506 of title 38, United States Code, is amended—

(1) in paragraph (2), by striking out ''shall'' and inserting in lieu thereof ''may''; and

(2) in paragraph (3), by striking out ''file a revised report'' and inserting in lieu thereof ''notify the Secretary''.

TITLE XIII—HUMAN RESOURCE MANAGEMENT

SEC. 13001. FEDERAL WORKFORCE TRAINING.

(a) IN GENERAL.—Chapter 41 of title 5, United States Code, is amended—

(1) in section 4101(4) by striking ''fields'' and all that follows through the semicolon and inserting ''fields which will improve individual and organizational performance and assist in achieving the agency's mission and performance goals;'';

(2) in section 4103—

(A) in subsection (a)—

(i) by striking ''In'' and all that follows through ''maintain'' and inserting ''In order to assist in achieving an agency's mission and performance goals by improving employee and organizational performance, the head of each agency, in conformity with this chapter, shall establish, operate, maintain, and evaluate'';

(ii) by striking ''and'' at the end of paragraph (2);

(iii) by redesignating paragraph (3) as paragraph (4); and

(iv) by inserting after paragraph (2) the following:

''(3) provide that information concerning the selection and assignment of employees for training and the applicable training limitations and restrictions be made available to employees of the agency; and''; and

(B) in subsection (b)—

(i) in paragraph (1) by striking ''determines'' and all that follows through the period and inserting ''determines that such training would be in the interests of the Government.''; and

(ii) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(3) in section 4105—

(A) in subsection (a) by striking ''(a)''; and

(B) by striking subsections (b) and (c);

(4) by repealing section 4106;

(5) in section 4107—

(A) by amending the catchline to read as follows:

''§ 4107. Restriction on degree training'';

(B) by striking subsections (a) and (b) and redesignating subsections (c) and (d) as subsections (a) and (b), respectively;

(C) by amending subsection (a) (as so redesignated)—

(i) by striking ''subsection (d)'' and inserting ''subsection (b)''; and

(ii) by striking ''by, in, or through a non-Government facility''; and

(D) by amending paragraph (1) of subsection (b) (as so redesignated) by striking ''subsection (c)'' and inserting ''subsection (a)'';

(6) in section 4108(a) by striking ''by, in, or through a non-Government facility under this chapter'' and inserting ''for more than a minimum period prescribed by the head of the agency'';

(7) in section 4113(b)—

(A) in the first sentence by striking ''annually to the Office,'' and inserting ''to the Office, at least once every 3 years, and''; and

(B) by striking the matter following the first sentence and inserting the following: ''The report shall set forth—

''(1) information needed to determine that training is being provided in a manner which is in compliance with applicable laws intended to protect or promote equal employment opportunity; and

''(2) information concerning the expenditures of the agency in connection with training and such other information as the Office considers appropriate.'';

(8) by repealing section 4114; and

(9) in section 4118—

(A) in subsection (a)(7) by striking ''by, in, and through non-Government facilities'';

(B) by striking subsection (b); and

(C) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Title 5, United States Code, is amended—

(1) in section 3381(e) by striking ''4105(a),'' and inserting ''4105,''; and

(2) in the analysis for chapter 41—

(A) by repealing the items relating to sections 4106 and 4114; and

(B) by amending the item relating to section 4107 to read as follows:

''4107. Restriction on degree training.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall become effective on the date of enactment of this Act.

SEC. 13002. SES ANNUAL LEAVE ACCUMULATION.

(a) Effective on the last day of the last applicable pay period beginning in calendar year 1993, subsection (f) of section 6304 of title 5, United States Code, is amended to read as follows:

''(f)(1) This subsection applies with respect to annual leave accrued by an individual while serving in a position in—

''(A) the Senior Executive Service;

''(B) the Senior Foreign Service;

''(C) the Defense Intelligence Senior Executive Service;

''(D) the Senior Cryptologic Executive Service; or

''(E) the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service.

''(2) For purposes of applying any limitation on accumulation under this section with respect to any annual leave described in paragraph (1)—

''(A) '30 days' in subsection (a) shall be deemed to read '90 days'; and

''(B) '45 days' in subsection (b) shall be deemed to read '90 days'.''.

(b) Notwithstanding the amendment made by subsection (a), in the case of an employee who, on the effective date of subsection (a), is subject to subsection (f) of section 6304 of title 5, United States Code, and who has to such employee's credit annual leave in excess of the maximum accumulation otherwise permitted by subsection (a) or (b) of section 6304 (determined applying the amendment made by subsection (a)), such excess annual leave shall remain to the credit of the employee and be subject to reduction, in the same manner as provided in subsection (c) of section 6304.

TITLE XIV—REINVENTING SUPPORT SERVICES

SEC. 14001. SHORT TITLE.

This title may be cited as the ''Government Information Dissemination and Printing Improvement Act of 1993''.

SEC. 14002. TRANSFER OF FUNCTIONS.

(a) SUPERINTENDENT OF DOCUMENTS.—The position of Superintendent of Documents and all functions of the position of Superintendent of Documents under title 44, United States Code, or any other provision of law are transferred to the Library of Congress and shall be carried out by the Superintendent of Documents under the direction of the Librarian of Congress. The Superintendent of Documents shall be appointed by, and serve at the pleasure of, the Librarian of Congress. Until otherwise provided by law, on and after the effective date of the transfer under this subsection, the employees under the Superintendent of Documents who are transferred shall be treated, for purposes of the laws governing labor-management relations, in the same manner as such employees were treated before the effective date of such transfer.

(b) REVOCATION OF CHARTERS.—All printing plant charters authorized under section 501 of title 44, United States Code, are revoked.

(c) EFFECTIVE DATE.—The transfer under subsection (a) shall take effect one year after the date of the enactment of this title. The revocation under subsection (b) shall take effect 2 years after the date of the enactment of this title.

SEC. 14003. GOVERNMENT PUBLICATIONS TO BE AVAILABLE THROUGHOUT THE GOVERNMENT.

All Government publications shall be available throughout the Government to any department, agency, or entity of the Government for use or redissemination.

SEC. 14004. INVENTORY AND FURNISHING OF GOVERNMENT PUBLICATIONS.

Each department, agency, and other entity of the Government shall—

(1) establish and maintain a comprehensive inventory of its Government publications;

(2) make such inventory available through the electronic directory under chapter 41 of title 44, United States Code; and

(3) in the form and manner prescribed by the Superintendent of Documents, furnish its Government publications to the Superintendent of Documents.

SEC. 14005. ADDITIONAL RESPONSIBILITIES OF THE PUBLIC PRINTER.

(a) IN GENERAL.—The Public Printer shall, with respect to the executive branch of the Government and the judicial branch of the Government—

(1) use all necessary measures to remedy neglect, delay, duplication, and waste in the public printing and binding of Government publications, including the reduction and elimination of internal printing and high-speed duplicating capacities of departments, agencies, and entities;

(2) prescribe Government publishing standards, which, to the greatest extent practicable, shall be consistent with the United States Government Printing Office Style Manual;

(3) prescribe Government procurement and manufacturing requirements for printing paper and writing paper, which, to the greatest extent practicable, shall be consistent with Government Paper Specification Standards;

(4) authorize the acquisition and transfer of equipment requisitioned by publishing facilities authorized under section 501 of title 44, United States Code;

(5) authorize the disposal of such equipment pursuant to section 312 of title 44, United States Code; and

(6) establish policy for the acquisition of printing, which, to the greatest extent practicable, shall be consistent with (A) Printing Procurement Regulation (GPO Publication 305.3), (B) Government Printing and Binding Regulations (JCP No. 26), and (C) Printing Procurement Department Instruction (PP304.1B).

(b) POLICY STANDARDS.—The policy referred to in subsection (a)(6) shall be formulated to maximize competitive procurement from the private sector. Government in-house printing and duplicating operations authorized under section 501 of title 44, United States Code, or otherwise authorized by law, may be used if they provide printing at the lowest cost to the Government, taking into consideration the total expense of production, materials, labor, equipment, and general and administrative expense, including all levels of overhead.

SEC. 14006. ADDITIONAL RESPONSIBILITIES OF THE SUPERINTENDENT OF DOCUMENTS.

(a) GOVERNMENT PUBLICATIONS TO BE FURNISHED TO THE SUPERINTENDENT OF DOCUMENTS.—If a department, agency, or other entity of the Government publishes a Government publication, the head of the department, agency, or entity shall furnish the Government publication to the Superintendent of Documents not later than the date of release of the material to the public.

(b) DISSEMINATION OR REPUBLICATION.—In addition to any other dissemination provided for by law, the Superintendent of Documents shall disseminate or republish Government publications, if, as determined by the Superintendent, the dissemination by the department, agency, or entity of the Government is inadequate. The Superintendent shall have authority to carry out the preceding sentence by appropriate means, including the dissemination and republication of Government publications furnished under subsection (a), with the cost of dissemination and republication to be borne by the department, agency, or entity involved.

(c) COST.—The cost charged to the public by the Superintendent of Documents under subsection (b) for any Government publication (whether such Government publication is made available to the public by a department, agency, or entity of the Government, or by the Superintendent of Documents) may include the incremental cost of dissemination, but may not include any profit.

SEC. 14007. DEPOSITORY LIBRARIES.

In addition to any other distribution provided for by law, the Superintendent of Documents shall make Government publications available to designated depository libraries and State libraries. The Superintendent shall have authority to carry out the preceding sentence by appropriate means, including the dissemination and republication of Government publications furnished under section 14006(a), with the cost of dissemination and republication to be borne by the department, agency, or entity involved.

SEC. 14008. DEFINITIONS.

As used in this title—

(1) the term ''Government publication'' means any informational matter that is published at Government expense, or as required by law; and

(2) the term ''publish'' means, with respect to informational matter, make available for dissemination.

TITLE XV—STREAMLINING MANAGEMENT CONTROL

SEC. 15001. AUTHORITY TO INCREASE EFFICIENCY IN REPORTING TO CONGRESS.

(a) PURPOSE.—The purpose of this title is to improve the efficiency of Executive branch performance in implementing statutory requirements for reports to Congress and its committees. Examples of improvements in efficiency intended by this title are

the elimination or consolidation of duplicative or obsolete reporting requirements and adjustments to deadlines that will provide for more efficient workload distribution or improve the quality of reports.

(b) AUTHORITY OF THE DIRECTOR.—The Director of the Office of Management and Budget may publish annually in the President's Budget his recommendations for consolidation, elimination, or adjustments in frequency and due dates of statutorily required periodic reports to the Congress or its committees. For each recommendation, the Director shall provide an individualized statement of the reasons that support the recommendation. In addition, for each report for which a recommendation is made, the Director shall state with specificity the exact consolidation, elimination, or adjustment in frequency or due date that is recommended. If the Director's recommendations are approved by law, they shall take effect.

(c) The Director's recommendations shall be consistent with the purpose stated in subsection (a).

(d) Prior to the publication of the recommendations authorized in subsection (b), the Director or his designee shall consult with the appropriate congressional committees concerning the recommendations.

TITLE XVI—FINANCIAL MANAGEMENT

SEC. 16001. SHORT TITLE.

This title may be cited as the ''Federal Financial Management Act of 1993''.

SEC. 16002. ELECTRONIC PAYMENTS.

(a) Section 3332 of title 31, United States Code, is amended to read as follows:

''§ 3332. Required direct deposit

''(a)(1) Notwithstanding any other provision of law, all Federal wage, salary, and retirement payments shall be paid to recipients of such payments by electronic funds transfer, unless another method has been determined by the Secretary of the Treasury to be appropriate.

''(2) Each recipient of Federal wage, salary, or retirement payments shall designate one or more financial institutions or other authorized payment agents and provide the payment certifying or authorizing agency information necessary for the recipient to receive electronic funds transfer payments through each institution so designated.

''(b)(1) The head of each agency shall waive the requirements of subsection (a) of this section for a recipient of Federal wage, salary, or retirement payments authorized or certified by the agency upon written request by such recipient.

''(2) Federal wage, salary, or retirement payments shall be paid to any recipient granted a waiver under paragraph (1) of this subsection by any method determined appropriate by the Secretary of the Treasury.

''(c)(1) The Secretary of the Treasury may waive the requirements of subsection (a) of this section for any group of recipients upon request by the head of an agency under standards prescribed by the Secretary of the Treasury.

''(2) Federal wage, salary, or retirement payments shall be paid to any member of a group granted a waiver under paragraph (1) of this subsection by any method determined appropriate by the Secretary of the Treasury.

''(d) This section shall apply only to recipients of Federal wage or salary payments who begin to receive such payments on or after January 1, 1995, and recipients of Federal retirement payments who begin to receive such payments on or after January 1, 1995.

''(e) The crediting of the amount of a payment to the appropriate account on the books of a financial institution or other authorized payment agent designated by a payment recipient under this section shall constitute a full acquittance to the United States for the amount of the payment.''.

(b) The table of sections for chapter 33 of title 31, United States Code, is amended by amending the item for section 3332 to read:

''3332. Required direct deposit.''.

SEC. 16003. FRANCHISE FUNDS AND INNOVATION FUNDS.

(a) Title 31, United States Code, is amended by adding, after section 1537, a section 1538, as follows:

''§ 1538. Franchise funds

''(a) There is hereby authorized to be established a franchise fund in any executive agency which does not have such a fund which shall be available, without further appropriation action by the Congress, for expenses and equipment necessary for the maintenance and operations of such administrative services as the head of the agency, with the approval of the Office of Management and Budget, determines may be performed more advantageously on a centralized basis.

''(b)(1) The fund shall consist of the fair and reasonable value of inventories, equipment, and other assets and inventories on order pertaining to the services to be provided by the fund as are transferred by the head of the agency to the fund less related liabilities and unpaid obligations together with any appropriations made for the purpose of providing capital.

''(2) For the first fiscal year a fund is in operation and each fiscal year thereafter, an amount not to exceed 4 percent of the total income of the fund may be retained in the fund, to remain available until expended, to be used only for the acquisition of capital equipment and for the improvement and implementation of agency financial management and related support systems.

''(3) For the first three fiscal years a fund is in operation, up to 50 percent of the unobligated balances of funds provided in annual appropriations available at the end of the fiscal year to the agency for salaries and expenses may be transferred into the fund no later than the end of the succeeding fiscal year.

''(c) The fund shall be reimbursed or credited with payments, including advance payments, from applicable appropriations and funds of the agency, other Federal agencies, and other sources authorized by law for supplies, materials, and services at rates which will recover the expenses of operations including accrued leave, depreciation of fund plant and equipment, and an amount necessary to maintain a reasonable operating reserve, as determined by the head of the agency.

''(d)(1) In the third fiscal year after the fund is established, and each year thereafter, any Federal entity seeking to obtain any service financed through the fund that is not inherently governmental in nature must not be precluded from obtaining such service from one or more other sources, either governmental or non-governmental, in addition to the source finance through the funds.

''(2) If, after the end of the third fiscal year after a fund is established, any Federal entity seeking to obtain any service financed through the fund that is not inherently governmental in nature is precluded from obtaining such service from one or more other sources, either governmental or non-governmental, in addition to the source financed through the fund, the fund shall be canceled.''.

(b) The table of sections for subchapter III of chapter 15 of title 31, United States Code, is amended by adding, after the item for section 1537, the following new item:

''1538. Franchise funds.''.

(c) Title 31, United States Code, is amended by adding, after section 1538, a section 1539, as follows:

''§ 1539. Innovation funds

''(a) There is hereby authorized to be established an innovation fund in any executive agency which does not have such a fund, which shall be available without further appropriation action by the Congress.

''(b) The purpose of the fund is to provide a self-sustaining source of financing for agencies to invest in projects designed to produce measurable improvements in agency efficiency and significant taxpayer savings. Amounts available in the fund may be borrowed by the agency for such projects, subject to subsection (e).

''(c) Each agency that establishes an innovation fund will develop an investment project selection process, including specific investment criteria such as return on investment, payback period, extent of matching or in-kind support (including such support from other Federal agencies), technical merit, and budget justification.

''(d) For the first three fiscal years a fund is in operation, up to 50 percent of the unobligated balances of funds provided in annual appropriations available at the end of the fiscal year to the agency (other than appropriations for salaries and expenses) may be transferred to and merged with the innovation fund to be available to make loans to agency components for projects designed to enhance productivity and generate cost savings, provided that such transfers occur no later than the end of the succeeding fiscal year.

''(e)(1) Any amounts borrowed from the fund by an agency component to finance a project selected under the process described in subsection (c) shall be repaid to the fund at the times specified in the repayment schedule agreed upon at the time the loan is made.

''(2) Interest on loans made by the fund shall be paid to the fund at the rate on marketable Treasury securities of similar maturity at the time the loan is made.

''(3) Repayments shall be made from the accounts anticipated to receive the greatest long-term benefit from the project at the time the loan is made.

''(4) Repayments to the fund shall take priority over any other obligation of payments of an account designated to make repayments under paragraph (3) of this subsection.''.

(d) The table of sections for subchapter III of chapter 15 of title 31, United States Code, is amended by adding, after the item for section 1538, the following new item:

''1539. Innovation funds.''.

SEC. 16004. SIMPLIFICATION OF MANAGEMENT REPORTING PROCESS.

(a) To improve the efficiency of Executive branch performance in implementing statutory requirements for general management and financial management reports to the Congress and its committees, the Director of the Office of Management and Budget may publish annually in the President's Budget his recommendations for consolidation, elimination, or adjustments in frequency and due dates of statutorily required periodic reports of agencies to the Office of Management and Budget or the President and of agencies or the Office of Management and Budget to the Congress under any laws for which the Office of Management and Budget has general management or financial management responsibility. For each recommendation, the Director shall provide an individualized statement of the reasons that support the recommendation. In addition, for each report for which a recommendation is made, the Director shall state with specificity the exact consolidation, elimination, or adjustment in frequency or due date that is recommended. If the Director's recommendations are approved by law, they shall take effect.

(b) The Director's recommendations shall be consistent with the purpose stated in subsection (a).

(c) Prior to the publication of the recommendations authorized in subsection (a), the Director or his designee shall consult with the appropriate congressional committees, including the House Committee on Government Operations and the Senate Committee on Governmental Affairs, concerning the recommendations.

SEC. 16005. ANNUAL FINANCIAL REPORTS.

(a) Section 3515 of title 31, United States Code, is amended to read as follows:

"§3515. Financial statements of agencies

''(a) Not later than March 1 of 1997 and each year thereafter, the head of each executive agency identified in section 901(b) of this title shall prepare and submit to the Director of the Office of Management and Budget an audited financial statement for the preceding fiscal year, covering all accounts and associated activities of each office, bureau, and activity of the agency.

''(b) Each audited financial statement of an executive agency under this section shall reflect—

''(1) the overall financial position of the offices, bureaus, and activities covered by the statement, including assets and liabilities thereof; and

''(2) results of operations of those offices, bureaus, and activities.

''(c) The Director of the Office of Management and Budget shall prescribe the form and content of the financial statements of executive agencies under this section, consistent with applicable accounting principles, standards, and requirements.

''(d) The Director of the Office of Management and Budget may waive the application of all or part of subsection (a).

''(e) Not later than March 1 of 1996, the head of each Executive agency identified in section 901(b) of this title and designated by the Director of the Office of Management and Budget shall prepare and submit to the Director of the Office of Management and Budget an audited financial statement for the preceding fiscal year, covering all accounts and associated activities of each office, bureau, and activity of the agency.

''(f) Not later than March 31 of 1994, 1995, and, for Executive agencies not designated by the Director of the Office of Management and Budget under subsection (e), 1996, the head of each Executive agency identified in section 901(b) of this title shall prepare and submit to the Director of the Office of Management and Budget a financial statement for the preceding fiscal year, covering—

''(1) each revolving fund and trust fund of the agency; and

''(2) to the extent practicable, the accounts of each office, bureau, and activity of the agency which performed substantial commercial functions during the preceding fiscal year.

''(g) for purposes of subsection (f), the term 'commercial functions' includes buying and leasing of real estate, providing insurance, making loans and loan guarantees, and other credit programs and any activity involving the provision of a service or thing for which a fee, royalty, rent, or other charge is imposed by an agency for services and things of value it provides.''.

(b) Subsection 3521(f) of title 31, United States Code, is amended to read as follows:

''(f)(1) For each audited financial statement required under subsections (a) and (e) of section 3515 of this title, the person who audits the statement for purpose of subsection (e) of this section shall submit a report on the audit to the head of the agency. A report under this subsection shall be prepared in accordance with generally accepted government auditing standards.

''(2) Not later than June 30 following the fiscal year for which a financial statement is submitted under subsection (f) of section 3515 of this title, the person who audits the statement for purpose of subsection (e) of this section shall submit a report on the audit to the head of the agency. A report under this subsection shall be prepared in accordance with generally accepted government auditing standards.''.

SEC. 16006. AUTHORIZATION OF APPROPRIATIONS FOR ENHANCING DEBT COLLECTION.

(a) Title 31, United States Code, is amended by adding, after section 3720A, a section 3720B, as follows:

"§3720B. Authorization of appropriations for enhancing debt collection

''(a) To the extent and in the amounts provided in advance in appropriations acts—

''(1) an amount not to exceed 1 percent of the delinquent debts collected for a program in one fiscal year is authorized to be credited in the following fiscal year to a special fund for such program;

''(2) an amount not to exceed 10 percent of any sustained annual increase in delinquent debt collections, as defined by the Director of the Office of Management and Budget, is authorized to be credited to a special fund for such program; and

''(3) from amounts credited under paragraphs (1) and (2), such sums as may be necessary are authorized to be appropriated for the improvement of that program's debt collection activities, including, but not limited to, account and loan servicing, delinquent debt collection and asset disposition.

''(b) Debt is defined as delinquent under standards prescribed or to be prescribed by the Secretary of the Treasury.

''(c) For direct loan and loan guarantee programs subject to Title V of the Congressional Budget Act of 1974, amounts credited in accordance with section (a) 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.

''(d) This section shall apply only to collection of debts—

''(1) for a program not within the Department of Justice; and

''(2) not involving the assistance of the Department of Justice.''.

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

''3720B. Authorization of appropriations for enhancing debt collection.''.

SEC. 16007. CONTRACTS FOR COLLECTION SERVICES.

(a) Subsection 3701(d) of Title 31, United States Code, is amended—

(1) by striking ''and 3716–3719'' and inserting in lieu thereof '', 3716, and 3717''; and

(2) by striking '', the Social Security Act (42 U.S.C. 301 et seq.),''.

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

''(e) Section 3718 of this title does not apply to a claim or debt under, or to an amount payable under, the Social Security Act (42 U.S.C. 301 et seq.) owed by a person receiving benefits under that Act or to a claim or debt under, or to an amount payable under, title 26 of the United States Code.''.

SEC. 16008. NOTIFICATION TO AGENCIES OF DEBTORS' MAILING ADDRESSES.

Section 3720A of title 31, United States Code is amended by striking ''the individual's home address.'' at the end of subsection (c) and inserting the following: ''the person's mailing address. Provision of this information is authorized by section 6103(m)(2) of the Internal Revenue Code (26 U.S.C. 6103(m)(2)).''.

SEC. 16009. CONTRACTS FOR COLLECTION SERVICES.

Subparagraph 3718(B)(1)(A) of title 31, United States Code, is amended by striking the following: ''If the Attorney General makes a contract for legal services to be furnished in any judicial district of the United States under the first sentence of this paragraph, the Attorney General shall use his best efforts to obtain, from among attorneys regularly engaged in the private practice of law in such district, at least four such contracts with private individuals or firms in such district.''.

SEC. 16010. ADJUSTING CIVIL MONETARY PENALTIES FOR INFLATION.

The Federal Civil Penalties Inflation Adjustment Act of 1990 is amended by—

(1) amending section 4 to read as follows: ''The head of each agency shall—

''(1) by regulation, no later than September 30, 1994, and at least once every 4 years thereafter, 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 and publish each such adjustment in the Federal Register; and

''(2) provide a report to the Secretary of the Treasury by November 15 of each year on all penalties adjusted during the preceding fiscal year.'';

(2) amending subsection 5(a) by striking ''The adjustment described under paragraphs (4) and (5)(A) of section 4'' and inserting ''The inflation adjustment''; and

(3) adding, after section 6, a section 7, as follows: ''Section 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.''.

TITLE XVII—RESCISSIONS OF BUDGET AUTHORITY

SEC. 17001. SHORT TITLE.

This title may be cited as the ''Fiscal Year 1994 Rescission Act''.

Subtitle A—Department of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH SERVICE

(RESCISSION AND TRANSFER OF FUNDS)

Of the funds made available under this heading in Public Law 103–111 and subsequently transferred to the Human Nutrition Information Service pursuant to Secretary's Memorandum No. 1020–39, dated September 30, 1993, $1,000,000 are rescinded and the remaining funds are transferred to the Agricultural Research Service: *Provided*, That funds appropriated by Public Law 103–111 for the functions of the former Human Nutrition Information Service shall be made available only to the Agricultural Research Service.

COOPERATIVE STATE RESEARCH SERVICE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111, $14,279,000 are rescinded, including $4,375,000 for contracts and grants for agricultural research under the Act of August 4, 1965, as amended; $7,000,000 for competitive research grants; and $2,904,000 for necessary expenses of the Cooperative State Research Service.

BUILDINGS AND FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111, $2,897,000 are rescinded.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

(RESCISSION AND TRANSFER OF FUNDS)

Of the funds made available under this heading in Public Law 103–111 and subsequently transferred to the Agricultural Cooperative Service pursuant to Secretary's Memorandum No. 1020–39, dated September 30, 1993, $100,000 are rescinded and the remaining funds are transferred to the Rural Development Administration.

PAYMENTS TO STATES AND POSSESSIONS

(TRANSFER OF FUNDS)

Of the funds made available under this heading in Public Law 103–111 and subsequently transferred to the Agricultural Cooperative Service pursuant to Secretary's Memorandum No. 1020–39, dated September 30, 1993, $435,000 are transferred to the Rural Development Administration.

FARMERS HOME ADMINISTRATION

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111 for the cost of direct section 502 loans, $35,000,000 are rescinded.

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111 for the cost of direct loans, $20,000,000 are rescinded.

RURAL WATER AND WASTE DISPOSAL GRANTS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111, $25,000,000 are rescinded.

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111, $12,167,000 are rescinded.

FOOD AND NUTRITION SERVICE

COMMODITY SUPPLEMENTAL FOOD PROGRAM

(RESCISSION)

Of the funds made available under this heading in Public Law 102–341, $12,600,000 are rescinded.

FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

(RESCISSION)

Of the funds made available under this heading in Public Law 102–341, $6,000,000 are rescinded.

PUBLIC LAW 480 PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111 for commodities supplied in connection with title III, $20,000,000 are rescinded.

Subtitle B—Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT REVOLVING FUND

(RESCISSION)

Of the unobligated balances in the Economic Development Revolving Fund, $29,000,000 are rescinded.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

CONSTRUCTION

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–121, $3,000,000 are rescinded.

DEPARTMENT OF JUSTICE

ADMINISTRATIVE PROVISION

For fiscal year 1994 only, the Director of the Bureau of Justice Assistance, upon good cause shown, may waive the provisions of section 504(f) of the Omnibus Crime Control and Safe Streets Act of 1968 for projects located in communities covered under a Presidentially declared disaster pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

BUYING POWER MAINTENANCE

(RESCISSION)

Of the balances in the Buying Power Maintenance account, $8,800,000 are rescinded.

NEW DIPLOMATIC POSTS

(RESCISSION)

Of the funds made available for the United States Information Agency under this heading in Public Law 102–395, $1,000,000 are rescinded.

ADMINISTRATIVE PROVISION

Subject to enactment of legislation authorizing the Secretary of State to charge a fee or surcharge for processing machine readable non-immigrant visas and machine readable combined border crossing identification cards and non-immigrant visas, the Secretary of State may collect not to exceed $20,000,000 in additional fees or surcharges during fiscal year 1994 pursuant to such authority: *Provided,* That such additional fees shall be deposited as an offsetting collection to the Department of State, Administration of Foreign Affairs, ''Diplomatic and Consular Programs'' appropriation account and such fees shall remain available until expended: *Provided further,* That such collections shall be available only to modernize, automate, and enhance consular services and counterterrorism activities of the Department of State, to include the development and installation of automated visa and namecheck information systems, secure travel documents, worldwide telecommunications systems, and management systems to permit sharing of critical information regarding visa applicants and help secure America's borders.

THE JUDICIARY

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

DEFENDER SERVICES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–121, $3,000,000 are rescinded.

RELATED AGENCIES

BOARD FOR INTERNATIONAL BROADCASTING

ISRAEL RELAY STATION

(RESCISSION)

Of the funds made available under this heading, $1,700,000 are rescinded.

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

(INCLUDING RESCISSION)

Of the funds made available under this heading in Public Law 103–121, $1,177,000 are rescinded.

Notwithstanding the provisions of this or any other Act, not to exceed $2,000,000 of the funds made available under this heading in Public Law 103–121 may be used to carry out projects involving security construction and related improvements for Agency facilities not physically located together with Department of State facilities abroad: *Provided,* That such funds may remain available until expended.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–121, $850,000 are rescinded.

RADIO CONSTRUCTION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–121, $2,000,000 are rescinded.

Subtitle C—Energy and Water Development

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–377 and prior years' Energy and Water Development Appropriations Acts, $24,970,000 are rescinded.

CONSTRUCTION, GENERAL

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–377 and prior years' Energy and Water Development Appropriations Acts, $97,319,000 are rescinded.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

CONSTRUCTION PROGRAM

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–377 and prior years' Energy and Water Development Appropriations Acts, $16,000,000 are rescinded.

DEPARTMENT OF ENERGY

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–126, $97,300,000 are rescinded: *Provided,* That the reduction shall be taken as a general reduction, applied to each program equally, so as not to eliminate or disproportionately reduce any program, project, or activity in the Energy Supply, Research and Development Activities account as included in the reports accompanying Public Law 103–126.

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–377 and prior years' Energy and Water Development Appropriations Acts, $42,000,000 are rescinded.

Subtitle D—Foreign Operations, Export Financing, and Related Agencies

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

(RESCISSION)

Of the unexpended or unobligated balances made available for payment to the International Bank for Reconstruction and Development for the United States share of the paid-in share portion of the increases in capital stock for the General Capital Increase, $27,910,500 is rescinded.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

Notwithstanding Public Law 103–87, the United States Governor of the International Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of the increases in capital stock in an amount not to exceed $902,439,500.

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

(RESCISSION)

Of the unexpended or unobligated balances made available for payment to the Inter-American Development Bank by the Secretary of the Treasury, for the paid-in share portion of the United States share of the increase in capital stock $16,063,134 is rescinded.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

Notwithstanding Public Law 103–87, the United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of the increases in capital stock in an amount not to exceed $1,563,875,725.

CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

(RESCISSION)

Of the unexpended or unobligated balances made available for payment to the Asian Development Bank by the Secretary of the Treasury, for the paid-in share portion of the United States share of the increase in capital stock $13,026,366 is rescinded.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

Notwithstanding Public Law 103–87, the United States Governor of the Asian Development Bank may not subscribe in fiscal year 1994 to the callable capital portion of the United States share of any increases in capital stock.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

DEVELOPMENT ASSISTANCE

(RESCISSION)

Of the unexpended or unobligated balances (including earmarked funds) made available for fiscal years 1987 through 1993 to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961, as amended, $160,000,000 is rescinded: *Provided*, That funds rescinded under this paragraph are to be derived from the following countries in the following amounts: Guatemala, $8,000,000; Honduras, $5,000,000; India, $10,000,000; Indonesia, $15,000,000; Morocco, $10,000,000; Pakistan, $15,000,000; Peru, $5,000,000; Philippines, $10,000,000; Thailand, $10,000,000; and Yemen, $5,000,000: *Provided further*, That $10,000,000 of the funds rescinded under this paragraph are to be derived from non-country specific, centrally funded activities: *Provided further*, That $57,000,000 of the funds rescinded under this paragraph are to be derived from prior year deobligated funds.

ECONOMIC SUPPORT FUND

(RESCISSION)

Of the unexpended or unobligated balances of funds (including earmarked funds) made available for fiscal years 1987 through 1993 to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, $90,000,000 is rescinded: *Provided*, That funds rescinded under this paragraph are to be derived from the following countries in the following amounts: Kenya, $2,000,000; Liberia, $797,000; Oman, $18,000,000; Peru, $11,000,000; Philippines, $10,200,000; and Somalia, $3,003,000: *Provided further*, That $45,000,000 of the funds rescinded under this paragraph are to be derived from the Private Sector Power Project (No. 391–0494) for Pakistan.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

(RESCISSION)

Of the grant funds made available (including earmarked funds) under this heading in Public Law 102–391 and prior appropriations Acts, $66,000,000 is rescinded: *Provided*, That funds rescinded under this paragraph are to be derived from the following countries in the following amounts: Benin, $3,000; Cameroon, $161,000; Central African Republic, $59,000; Congo, $7,000; Cote D' Ivoire, $128,000; Equatorial Guinea, $86,000; Gabon, $3,000; Ghana, $600,000; Guatemala, $1,563,000; Guinea, $499,000; Kenya, $9,000,000; Liberia, $15,000; Madagascar, $505,000; Mali, $3,000; Malawi, $326,000; Mauritania, $300,000; Morocco, $8,000,000; Organization of American States, $6,000; Oman, $3,100,000; Pakistan, $8,108,000; Peru, $6,533,000; Philippines, $5,000,000; Rwanda, $250,000; Sao Tome & Principe, $228,000; Somalia, $4,349,000; Sudan, $8,609,000; Thailand, $1,384,000; Togo, $19,000; Tunisia, $4,100,000; Uganda, $100,000; Yemen, $2,241,000; Zambia, $100,000; Zaire, $455,000; and Zimbabwe, $160,000.

Subtitle E—Department of the Interior and Related Agencies

DEPARTMENT OF THE INTERIOR

U.S. FISH AND WILDLIFE SERVICE

CONSTRUCTION AND ANADROMOUS FISH

(RESCISSION)

Of the funds appropriated under this head in Public Law 100–446 and Public Law 102–154, $3,874,000 are rescinded.

DEPARTMENT OF THE TREASURY

BIOMASS ENERGY DEVELOPMENT

(RESCISSION)

Of the funds available under this head, $16,275,000 are rescinded.

DEPARTMENT OF ENERGY

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Section 303 of Public Law 97–257, as amended, is repealed.

The seventh proviso under the head ''Clean Coal Technology'' in Public Law 101–512, and the seventh proviso under the head ''Clean Coal Technology'' in Public Law 102–154, both concerning Federal employment, are repealed.

Subtitle F—Departments of Labor, Health and Human Services, Education, and Related Agencies

DEPARTMENT OF LABOR

(RESCISSION)

Of the amounts appropriated in Public Law 103–112 for salaries and expenses and administrative costs of the Department of Labor, $4,000,000 are rescinded.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

(RESCISSION)

Of the amounts appropriated in Public Law 103–112 for salaries and expenses and administrative costs of the Department of Health and Human Services (except the Social Security Administration), $37,500,000 are rescinded.

SOCIAL SECURITY ADMINISTRATION

SUPPLEMENTAL SECURITY INCOME PROGRAM

(RESCISSION)

Of the amounts appropriated in the first paragraph under this heading in Public Law 103–112, $10,909,000 are rescinded.

LIMITATION ON ADMINISTRATIVE EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–112 to invest in a state-of-the-art computing network, $80,000,000 are rescinded.

DEPARTMENT OF EDUCATION

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

(RESCISSION)

Of the amounts appropriated under this heading in Public Law 103–112 for salaries and expenses and administrative costs of the Department of Education, $8,500,000 are rescinded.

Subtitle G—Legislative Branch

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

(RESCISSION)

Of the amounts made available under this heading in Public Law 101–520, $633,000 are rescinded in the amounts specified for the following headings and accounts:

''ALLOWANCES AND EXPENSES'', $633,000, as follows:

''Official Expenses of Members'', $128,000; ''supplies, materials, administrative costs and Federal tort claims'', $125,000; ''net expenses of purchase, lease and maintenance of office equipment'', $364,000; and ''Government contributions to employees' life insurance fund, retirement funds, Social Security fund, Medicare fund, health benefits fund, and worker's and unemployment compensation'', $16,000.

Of the amounts made available under this heading in Public Law 102–90, $2,352,000 are rescinded in the amounts specified for the following headings and accounts:

''HOUSE LEADERSHIP OFFICES'', $253,000;

''COMMITTEE ON THE BUDGET (STUDIES)'', $4,000;

''STANDING COMMITTEES, SPECIAL AND SELECT'', $378,000;

''ALLOWANCES AND EXPENSES'', $943,000, as follows:

''Official Expenses of Members'', $876,000; and ''stenographic reporting of committee hearings'', $67,000;

''COMMITTEE ON APPROPRIATIONS (STUDIES AND INVESTIGATIONS)'', $595,000;

''SALARIES, OFFICERS AND EMPLOYEES'', $179,000, as follows:

''Office of the Postmaster'', $19,000; ''for salaries and expenses of the Office of the Historian'', $26,000; ''the House Democratic Steering and Policy Committee and the Democratic Caucus'', $73,000; and ''the House Republican Conference'', $61,000.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

CAPITOL BUILDINGS

(RESCISSION)

Of the amounts made available under this heading in Public Law 102–392 and Public Law 103–69, $1,000,000 and $2,000,000, respectively, both made available until expended, are rescinded: *Provided*, That the Architect of the Capitol shall be considered the agency for purposes of the election in section 801(b)(2)(B) of the National Energy Conservation Policy Act and the head of the agency for purposes of subsection (b)(2)(C) of such section.

LIBRARY OF CONGRESS

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–69 and Public Law 98–396, $900,000 are rescinded.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–69, $1,300,000 are rescinded.

SUPPLEMENTAL APPROPRIATION

That the following sum is appropriated, out of any money in the Treasury not other-

wise appropriated, for the Legislative Branch for the fiscal year ending September 30, 1994, and for other purposes, namely:

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Karen A. Henry, widow of Paul B. Henry, late a Representative from the State of Michigan, $133,600.

Subtitle H—Department of Defense-Military

MILITARY CONSTRUCTION

(RESCISSIONS)

Of the funds appropriated under Public Law 103–110, the following funds are hereby rescinded from the following accounts in the specified amounts:

Military Construction, Army, $22,319,000;

Military Construction, Navy, $13,969,000;

Military Construction, Air Force, $24,787,000;

Military Construction, Defense-Wide, $13,663,000;

Military Construction, Army National Guard, $7,568,000;

Military Construction, Air National Guard, $6,187,000;

Military Construction, Army Reserve, $2,551,000;

Military Construction, Naval Reserve, $626,000;

Military Construction, Air Force Reserve, $1,862,000;

North Atlantic Treaty Organization Infrastructure, $70,000,000; and

Base Realignment and Closure Account, Part III, $437,692,000:

Provided, That, within funds available for ''Base Realignment and Closure Account, Part III'' for fiscal year 1994, not less than $200,000,000 shall be available solely for environmental restoration.

Subtitle I—Department of Transportation and Related Agencies

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

The funds provided for ''Small community air service'' under section 419 of the Federal Aviation Act of 1958, as amended, in excess of the funds made available for obligation in Public Law 103–122 are rescinded.

COAST GUARD

OPERATING EXPENSES

(RESCISSION)

Of the funds provided under this heading in Public Law 102–368, $5,000,000 are rescinded.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(RESCISSION)

Of the funds provided under this heading in Public Law 102–368, $2,000,000 are rescinded.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–122, $750,000 are rescinded.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances (including earmarked funds) under this heading, $29,451,111 are rescinded.

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the funds provided under the Airport and Airway Improvement Act of 1982, as amended, for grants-in-aid for airport planning and development and noise compatibility planning and programs, $488,200,000 of the amount in excess of the funds made available for obligation in Public Law 103–122 are rescinded.

FEDERAL HIGHWAY ADMINISTRATION

(RESCISSION)

Of the funds made available for specific highway projects that are not yet under construction, $85,774,222 are rescinded: *Provided,* That no funds shall be rescinded from any emergency relief project funded under section 125 of title 23, United States Code: *Provided further,* That for the purposes of this paragraph, a project shall be deemed to be not under construction unless a construction contract for physical construction has been awarded by the State, municipality, or other contracting authority.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

(RESCISSION)

Of the amounts provided under this heading in Public Law 102–388, $3,476,000 are rescinded.

Of the amounts provided under this heading in Public Law 101–516, $1,075,000 are rescinded.

Of the amounts provided under this heading in Public Law 101–164, $2,505,000 are rescinded.

FEDERAL TRANSIT ADMINISTRATION

DISCRETIONARY GRANTS

(HIGHWAY TRUST FUND)

(RESCISSION)

Any unobligated balances of funds made available for fiscal year 1991 and prior fiscal years under section 3 of the Federal Transit Act, as amended, and allocated to specific projects for the replacement, rehabilitation, and purchase of buses and related equipment, for construction of bus-related facilities, and for new fixed guideway systems are rescinded: *Provided,* That no funds provided for the Miami Metromover project shall be rescinded: *Provided further,* That of the funds provided under this heading in Public Law 103–122, $2,500,000 are rescinded.

Subtitle J—Treasury, Postal Service, and General Government

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103–123, $126,022,000, are rescinded and are not available in fiscal year 1994: *Provided,* That no individual prospectus-level new construction project may be reduced by more than 5 percent.

ADMINISTRATIVE PROVISION

SEC. 17101. Section 630 of the Treasury, Postal Service, and General Government Appropriations Act, 1993 (Public Law 102–393), and the amendment made by that section, are repealed.

Subtitle K—Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECTS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $26,000,000 are rescinded.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING PROGRAMS

HOMEOWNERSHIP AND OPPORTUNITY FOR PEOPLE EVERYWHERE GRANTS (HOPE GRANTS)

(RESCISSION)

Of the funds made available under this heading in Public Law 102–389 and Public Law 102–139, $66,000,000 are rescinded: *Provided,* That of the foregoing amount, $34,000,000 shall be deducted from the amounts earmarked for the HOPE for Public and Indian Housing Homeownership Program and $32,000,000 shall be deducted from the amounts earmarked for the HOPE for Homeownership of Multifamily Units Program.

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

(RESCISSION)

Of the funds made available under this heading in Public Law 102–389 and prior years, and earmarked for amendments to section 8 contracts other than contracts for projects developed under section 202 of the Housing Act of 1959, $25,000,000 are rescinded.

ASSISTANCE FOR THE RENEWAL OF EXPIRING SECTION 8 SUBSIDY CONTRACTS

(RESCISSION)

Of the funds made available under this heading in Public Law 102–389 and prior years, $20,000,000 are rescinded.

ADMINISTRATIVE PROVISION

Notwithstanding any other provision of law, the City of Slidell, Louisiana, is authorized to submit not later than 10 days following the enactment of this Act, and the Secretary of Housing and Urban Development shall consider, the final statement of community development objectives and projected use of funds required by section 104(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(a)(1)) in connection with a grant to the City of Slidell under title I of such Act for fiscal year 1994.

INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

WATER INFRASTRUCTURE/STATE REVOLVING FUNDS

(INCLUDING RESCISSION OF FUNDS)

Of the funds made available under this heading in Public Law 103–124, $22,000,000 are rescinded: *Provided,* That the $500,000,000 earmarked under this heading in Public Law 103–124 to not become available until May 31, 1994, shall instead not become available until September 30, 1994.

FEDERAL EMERGENCY MANAGEMENT AGENCY

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $2,000,000 are rescinded.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

RESEARCH AND DEVELOPMENT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $25,000,000 are rescinded.

CONSTRUCTION OF FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $25,000,000 are rescinded.

NATIONAL SCIENCE FOUNDATION

ACADEMIC RESEARCH INFRASTRUCTURE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $10,000,000 are rescinded.

NATIONAL SERVICE INITIATIVE

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–124, $5,000,000 are rescinded.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

The proviso under this heading in Public Law 103–124 is repealed.

The SPEAKER pro tempore, Mr. HOYER, announced that the yeas had it.

Mr. WALKER demanded a recorded vote on agreeing to said amendment, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 277 / Nays 153

¶140.27 [Roll No. 611]

AYES—277

Ackerman	Durbin	Lambert
Andrews (ME)	Edwards (CA)	Lancaster
Andrews (TX)	Edwards (TX)	Lantos
Applegate	Engel	LaRocco
Bacchus (FL)	English (AZ)	Laughlin
Baesler	English (OK)	Lazio
Barca	Eshoo	Lehman
Barcia	Evans	Levin
Barlow	Farr	Levy
Barrett (NE)	Fazio	Lewis (GA)
Barrett (WI)	Fields (LA)	Lipinski
Becerra	Filner	Lloyd
Beilenson	Fingerhut	Long
Bereuter	Flake	Lowey
Berman	Foglietta	Machtley
Bevill	Ford (MI)	Maloney
Bilbray	Ford (TN)	Mann
Bilirakis	Frank (MA)	Manton
Bishop	Frost	Margolies-Mezvinsky
Blackwell	Furse	Markey
Boehlert	Gejdenson	Martinez
Bonior	Gephardt	Matsui
Borski	Geren	Mazzoli
Boucher	Gibbons	McCloskey
Brewster	Gilman	McCurdy
Brooks	Glickman	McDade
Browder	Gonzalez	McDermott
Brown (CA)	Goodlatte	McHale
Brown (FL)	Gordon	McKinney
Brown (OH)	Green	McNulty
Bryant	Gutierrez	Meehan
Byrne	Hall (TX)	Meek
Cantwell	Hamburg	Menendez
Cardin	Hamilton	Meyers
Carr	Harman	Mfume
Chapman	Hastings	Miller (CA)
Clay	Hayes	Mineta
Clayton	Hefner	Minge
Clement	Hilliard	Moakley
Clyburn	Hinchey	Mollohan
Coble	Hoagland	Montgomery
Coleman	Hochbrueckner	Moran
Collins (GA)	Holden	Morella
Collins (IL)	Hoyer	Murphy
Collins (MI)	Huffington	Murtha
Conyers	Hughes	Nadler
Cooper	Hutto	Natcher
Coppersmith	Inslee	Neal (MA)
Costello	Jefferson	Neal (NC)
Coyne	Johnson (CT)	Oberstar
Cramer	Johnson (GA)	Obey
Danner	Johnson (SD)	Olver
Darden	Johnson, E. B.	Ortiz
de la Garza	Johnston	Orton
Deal	Kanjorski	Pallone
DeFazio	Kaptur	Parker
DeLauro	Kennedy	Pastor
Dellums	Kennelly	Payne (NJ)
Derrick	Kildee	Payne (VA)
Deutsch	Kingston	Pelosi
Diaz-Balart	Kleczka	Peterson (FL)
Dicks	Klein	Pickett
Dingell	Klink	Pickle
Dixon	Kopetski	Pomeroy
Dooley	Kreidler	Porter
Duncan	LaFalce	

Poshard	Serrano	Thompson
Price (NC)	Sharp	Thornton
Rahall	Shays	Thurman
Rangel	Shepherd	Torres
Reed	Sisisky	Torricelli
Reynolds	Skaggs	Towns
Richardson	Skelton	Tucker
Ridge	Slattery	Unsoeld
Roemer	Slaughter	Valentine
Rogers	Smith (IA)	Velazquez
Ros-Lehtinen	Smith (MI)	Vento
Rose	Snowe	Visclosky
Rostenkowski	Spratt	Volkmer
Roth	Stark	Washington
Roukema	Stenholm	Watt
Rowland	Stokes	Waxman
Roybal-Allard	Strickland	Weldon
Rush	Studds	Wheat
Sabo	Stupak	Whitten
Sanders	Sundquist	Williams
Sangmeister	Swett	Wilson
Sarpalius	Swift	Wise
Sawyer	Synar	Woolsey
Schenk	Tanner	Wyden
Schroeder	Tauzin	Wynn
Schumer	Taylor (MS)	Yates
Scott	Tejeda	

NOES—153

Abercrombie	Gingrich	Moorhead
Allard	Goodling	Myers
Andrews (NJ)	Goss	Nussle
Archer	Grams	Owens
Armey	Grandy	Oxley
Bachus (AL)	Greenwood	Packard
Baker (CA)	Gunderson	Paxon
Baker (LA)	Hancock	Penny
Ballenger	Hansen	Peterson (MN)
Bartlett	Hastert	Petri
Barton	Hefley	Pombo
Bateman	Herger	Portman
Bentley	Hobson	Pryce (OH)
Bliley	Hoekstra	Quillen
Blute	Hoke	Quinn
Boehner	Horn	Ramstad
Bonilla	Houghton	Ravenel
Bunning	Hunter	Regula
Burton	Hutchinson	Roberts
Buyer	Hyde	Rohrabacher
Callahan	Inglis	Royce
Calvert	Inhofe	Santorum
Camp	Istook	Saxton
Canady	Jacobs	Schaefer
Castle	Johnson, Sam	Schiff
Combest	Kasich	Sensenbrenner
Condit	Kim	Shaw
Cox	King	Shuster
Crane	Klug	Skeen
Crapo	Knollenberg	Smith (NJ)
Cunningham	Kolbe	Smith (TX)
DeLay	Kyl	Solomon
Dickey	Leach	Spence
Doolittle	Lewis (CA)	Stearns
Dornan	Lewis (FL)	Stump
Dreier	Lightfoot	Talent
Dunn	Linder	Taylor (NC)
Emerson	Livingston	Thomas (CA)
Everett	Manzullo	Thomas (WY)
Ewing	McCandless	Torkildsen
Fawell	McCollum	Traficant
Fields (TX)	McCrery	Upton
Fish	McHugh	Vucanovich
Fowler	McInnis	Walker
Franks (CT)	McKeon	Walsh
Franks (NJ)	McMillan	Waters
Gallegly	Mica	Wolf
Gallo	Michel	Young (AK)
Gekas	Miller (FL)	Young (FL)
Gilchrest	Mink	Zeliff
Gillmor	Molinari	Zimmer

NOT VOTING—3

Clinger	Hall (OH)	Smith (OR)

So the amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. HOYER, announced that the yeas had it.

Mr. WALKER demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 429 / Nays 1

¶140.28 [Roll No. 612]

AYES—429

Abercrombie	Deutsch	Hutchinson
Ackerman	Diaz-Balart	Hutto
Allard	Dickey	Hyde
Andrews (ME)	Dicks	Inglis
Andrews (NJ)	Dingell	Inhofe
Andrews (TX)	Dixon	Inslee
Applegate	Dooley	Istook
Archer	Doolittle	Jacobs
Armey	Dornan	Jefferson
Bacchus (FL)	Dreier	Johnson (CT)
Bachus (AL)	Duncan	Johnson (GA)
Baesler	Dunn	Johnson (SD)
Baker (CA)	Durbin	Johnson, E.B.
Baker (LA)	Edwards (CA)	Johnson, Sam
Ballenger	Edwards (TX)	Johnston
Barca	Emerson	Kanjorski
Barcia	Engel	Kaptur
Barlow	English (AZ)	Kasich
Barrett (NE)	English (OK)	Kennedy
Barrett (WI)	Eshoo	Kennelly
Bartlett	Evans	Kildee
Barton	Everett	Kim
Bateman	Ewing	King
Becerra	Farr	Kingston
Beilenson	Fawell	Kleczka
Bentley	Fazio	Klein
Bereuter	Fields (LA)	Klink
Berman	Fields (TX)	Klug
Bevill	Filner	Knollenberg
Bilbray	Fingerhut	Kolbe
Bilirakis	Fish	Kopetski
Bishop	Flake	Kreidler
Blackwell	Foglietta	Kyl
Bliley	Foley	LaFalce
Blute	Ford (MI)	Lambert
Boehlert	Ford (TN)	Lancaster
Boehner	Fowler	Lantos
Bonilla	Frank (MA)	LaRocco
Bonior	Franks (CT)	Laughlin
Borski	Franks (NJ)	Lazio
Boucher	Frost	Leach
Brewster	Furse	Lehman
Brooks	Gallegly	Levin
Browder	Gallo	Levy
Brown (CA)	Gejdenson	Lewis (CA)
Brown (FL)	Gekas	Lewis (FL)
Brown (OH)	Gephardt	Lewis (GA)
Bryant	Geren	Lightfoot
Bunning	Gibbons	Linder
Burton	Gilchrest	Lipinski
Buyer	Gillmor	Livingston
Byrne	Gilman	Lloyd
Callahan	Gingrich	Long
Calvert	Glickman	Lowey
Camp	Gonzalez	Machtley
Canady	Goodlatte	Maloney
Cantwell	Goodling	Mann
Cardin	Gordon	Manton
Carr	Goss	Manzullo
Castle	Grams	Margolies-Mezvinsky
Chapman	Grandy	Markey
Clay	Green	Martinez
Clayton	Greenwood	Matsui
Clement	Gunderson	Mazzoli
Clyburn	Gutierrez	McCandless
Coble	Hall (TX)	McCloskey
Coleman	Hamburg	McCollum
Collins (GA)	Hamilton	McCrery
Collins (IL)	Hancock	McCurdy
Collins (MI)	Hansen	McDade
Combest	Harman	McDermott
Condit	Hastert	McHale
Conyers	Hastings	McHugh
Cooper	Hayes	McInnis
Coppersmith	Hefley	McKeon
Costello	Hefner	McKinney
Cox	Herger	McMillan
Coyne	Hilliard	McNulty
Cramer	Hinchey	Meehan
Crane	Hoagland	Meek
Crapo	Hobson	Menendez
Cunningham	Hochbrueckner	Meyers
Danner	Hoekstra	Mfume
Darden	Hoke	Mica
de la Garza	Holden	Michel
Deal	Horn	Miller (CA)
DeFazio	Houghton	Miller (FL)
DeLauro	Hoyer	Mineta
DeLay	Huffington	Minge
Dellums	Hughes	Mink
Derrick	Hunter	

Moakley	Ridge	Studds
Molinari	Roberts	Stump
Mollohan	Roemer	Stupak
Montgomery	Rogers	Sundquist
Moorhead	Rohrabacher	Swett
Moran	Ros-Lehtinen	Swift
Morella	Rose	Synar
Murphy	Rostenkowski	Talent
Murtha	Roth	Tanner
Myers	Roukema	Tauzin
Nadler	Rowland	Taylor (MS)
Natcher	Roybal-Allard	Taylor (NC)
Neal (MA)	Royce	Tejeda
Neal (NC)	Rush	Thomas (CA)
Nussle	Sabo	Thomas (WY)
Oberstar	Sanders	Thompson
Obey	Sangmeister	Thornton
Olver	Santorum	Thurman
Ortiz	Sarpalius	Torkildsen
Orton	Sawyer	Torres
Owens	Saxton	Torricelli
Oxley	Schaefer	Towns
Packard	Schenk	Tucker
Pallone	Schiff	Unsoeld
Parker	Schroeder	Upton
Pastor	Schumer	Valentine
Paxon	Scott	Velazquez
Payne (NJ)	Sensenbrenner	Vento
Payne (VA)	Serrano	Visclosky
Pelosi	Sharp	Volkmer
Penny	Shaw	Vucanovich
Peterson (FL)	Shays	Walker
Peterson (MN)	Shepherd	Walsh
Petri	Shuster	Washington
Pickett	Sisisky	Waters
Pickle	Skaggs	Watt
Pombo	Skeen	Waxman
Pomeroy	Skelton	Weldon
Porter	Slattery	Wheat
Portman	Slaughter	Whitten
Poshard	Smith (IA)	Wilson
Price (NC)	Smith (MI)	Wise
Pryce (OH)	Smith (NJ)	Wolf
Quillen	Smith (TX)	Woolsey
Quinn	Snowe	Wyden
Rahall	Solomon	Wynn
Ramstad	Spence	Yates
Rangel	Spratt	Young (AK)
Ravenel	Stark	Young (FL)
Reed	Stearns	Zeliff
Regula	Stenholm	Zimmer
Reynolds	Stokes	
Richardson	Strickland	

NOES—1

Traficant

NOT VOTING—4

Clinger	Smith (OR)
Hall (OH)	Williams

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶140.29 ORDER OF BUSINESS—CONSIDERATION OF CONFERENCE REPORT ON S. 714

On motion of Mr. NEAL of North Carolina, by unanimous consent,

Ordered, That it may be in order today for the House to consider the conference report on the bill of the Senate (S. 714) to provide funding for the resolution of failed savings associations, and for other purposes; and all points of order against said conference report and its consideration are hereby waived, and said conference report shall be considered as read when called up.

¶140.30 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 322. An Act to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes;

H.R. 1727. An Act to establish a program of grants to States for arson research, prevention, and control, and for other purposes;

H.R. 2150. An Act to authorize appropriations for fiscal year 1994 for the United States Coast Guard, and for other purposes;

H.R. 2876. An Act to promote and support management reorganization of the National Aeronautics and Space Administration; and

H.R. 3000. An Act for reform in emerging new democracies and support and help for improved partnership with Russia, Ukraine, and other new independent states of the former Soviet Union.

The message also announced, That the Senate agreed to the amendments of the House to the bill (S. 422) entitled ''An Act to amend the Securities Exchange Act of 1934 to ensure the efficient and fair operation of the government securities market, in order to protect investors and facilitate government borrowing at the lowest possible cost to taxpayers, and to prevent false and misleading statements in connection with offerings of government securities'', with an amendment.

The message also announced, That the Senate insisted upon its amendment to the bill (H.R. 322) ''An Act to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes'' and requested a conference with the House on the disagreeing votes of the two Houses thereon, and appointed Mr. JOHNSTON, Mr. BUMPERS, Mr. AKAKA, Mr. BRADLEY, Mr. WALLOP, Mr. MURKOWSKI, and Mr. CRAIG, to be the conferees on the part of the Senate.

The message also announced that the Secretary of the Senate be directed to request the House to return to the Senate the bill (S. 1732) entitled ''An Act to extend arbitration under provisions of chapter 44 of title 28, United States Code, and for other purposes.''

The message also announced that Mr. STEVENS and Mr. KEMPTHORNE, be appointed conferees, on the part of the Senate, on the bill (H.R. 1025) ''An Act to provide for a waiting period before the purchase of a handgun, and for the establishment of a national instant criminal background check system to be contacted by firearms dealers before the transfer of any firearms.'', in lieu of Mr. HATCH and Mr. CRAIG.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 664. An Act making a technical amendment of the Clayton Act;

S. 1769. An Act to make a technical amendment, and for other purposes;

S. 1774. An Act to amend the Public Health Service Act to revise and extend the bone marrow donor program, and for other purposes;

S. 1777. An Act to extend the suspended implementation of certain requirements of the food stamp program on Indian reservations, to suspend certain eligibility requirements for the participation of retail food stores in the food stamp program, and for other purposes; and

S. Con. Res. 56. Concurrent resolution to authorize corrections in the enrollment of S. 1766.

¶140.31 ORDER OF BUSINESS—CONSIDERATION OF CONFERENCE REPORT ON H.R. 3167

On motion of Mr. ROSTENKOWSKI, by unanimous consent,

Ordered, That it may be in order today for the House to consider the conference report on the bill (H.R. 3167) to extend the emergency unemployment compensation program to establish a system of worker profiling, and for other purposes; and all points of order against said conference report and its consideration are hereby waived, and said conference report shall be considered as read when called up.

¶140.32 SUBMISSION OF CONFERENCE REPORT—H.R. 1025

Mr. BROOKS submitted a conference report (Rept. No. 103–412) on the bill (H.R. 1025) to provide for a waiting period before the purchase of a handgun, and for the establishment of a national instant criminal background check system to be contacted by firearms dealers before the transfer of any firearm; together with a statement thereon, for printing in the Record under the rule.

¶140.33 ORDER OF BUSINESS—CONSIDERATION OF CONFERENCE REPORT ON H.R. 1025

On motion of Mr. BROOKS, by unanimous consent,

Ordered, That it may be in order today for the House to consider the conference report on the bill (H.R. 1025) to provide for a waiting period before the purchase of a handgun, and for the establishment of a national instant criminal background check system to be contacted by firearms dealers before the transfer of any firearm; and all points of order against said conference report and its consideration are hereby waived, and said conference report shall be considered as read when called up.

¶140.34 RESOLUTION TRUST CORPORATION

Mr. NEAL of North Carolina, pursuant to the special order of the House agreed to earlier today, called up the following conference report (Rept. No. 103–380):

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 714), to provide for the remaining funds needed to assure that the United States fulfills its obligation for the protection of depositors at savings and loan institutions, to improve the management of the Resolution Trust Corporation ('RTC') in order to assure the taxpayers the fairest and most efficient disposition of savings and loan assets, to provide for a comprehensive transition plan to assure an orderly transfer of RTC resources to the Federal Deposit Insurance Corporation, to abolish the RTC, and for other purposes, having

met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Resolution Trust Corporation Completion Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Final funding for RTC.
Sec. 3. RTC management reforms.
Sec. 4. Extension of statute of limitations.
Sec. 5. Limitation on bonuses and compensation paid by the RTC and the Thrift Depositor Protection Oversight Board.
Sec. 6. FDIC—RTC transition task force.
Sec. 7. Amendments relating to the termination of the RTC.
Sec. 8. SAIF funding authorization amendments.
Sec. 9. Moratorium extension.
Sec. 10. Repayment schedule for permanent FDIC borrowing authority.
Sec. 11. Deposit insurance funds.
Sec. 12. Maximum dollar limits for eligible condominium and single family properties under RTC affordable housing program.
Sec. 13. Changes affecting only FDIC affordable housing program.
Sec. 14. Changes affecting both RTC and FDIC affordable housing programs.
Sec. 15. Right of first refusal for tenants to purchase single family property.
Sec. 16. Preference for sales of real property for use for homeless families.
Sec. 17. Preferences for sales of commercial properties to public agencies and nonprofit organizations for use in carrying out programs for affordable housing.
Sec. 18. Federal home loan banks housing opportunity hotline program.
Sec. 19. Conflict of interest provisions applicable to the FDIC.
Sec. 20. Restrictions on sales of assets to certain persons.
Sec. 21. Whistle blower protection.
Sec. 22. FDIC asset disposition division.
Sec. 23. Presidentially appointed inspector general for FDIC.
Sec. 24. Deputy chief executive officer.
Sec. 25. Due process protections relating to attachment of assets.
Sec. 26. GAO studies regarding Federal real property disposition.
Sec. 27. Extension of RTC power to be appointed as conservator or receiver.
Sec. 28. Final report on RTC and SAIF funding.
Sec. 29. General Counsel of the Resolution Trust Corporation.
Sec. 30. Authority to execute contracts.
Sec. 31. RTC contracting.
Sec. 32. Definition of property.
Sec. 33. Sense of the Congress relating to participation of disabled Americans in contracting for delivery of services to financial institution regulatory agencies.
Sec. 34. Report to Congress by Special Counsel.
Sec. 35. Reporting requirements.
Sec. 36. Continuation of conservatorships or receiverships.
Sec. 37. Exceptions for certain transactions.
Sec. 38. Bank deposit financial assistance program.

SEC. 2. FINAL FUNDING FOR RTC.

Section 21A(i) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(i)) is amended—

(1) in paragraph (3), by striking ''until April 1, 1992''; and

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

''(4) CONDITIONS ON AVAILABILITY OF FINAL FUNDING IN EXCESS OF $10,000,000,000.—

''(A) CERTIFICATION REQUIRED.—Of the funds appropriated under paragraph (3) which are provided after April 1, 1993, any amount in excess of $10,000,000,000 shall not be available to the Corporation before the date on which the Secretary of the Treasury certifies to the Congress that, since the date of enactment of the Resolution Trust Corporation Completion Act, the Corporation has taken such action as may be necessary to comply with the requirements of subsection (w) or that, as of the date of the certification, the Corporation is continuing to make adequate progress toward full compliance with such requirements.

''(B) APPEARANCE UPON REQUEST.—The Secretary of the Treasury shall appear before the Committee on Banking, Finance and Urban Affairs of the House of Representatives or the Committee on Banking, Housing, and Urban Affairs of the Senate, upon the request of the chairman of the committee, to report on any certification made to the Congress under subparagraph (A).

''(5) RETURN TO TREASURY.—If the aggregate amount of funds transferred to the Corporation pursuant to this subsection exceeds the amount needed to carry out the purposes of this section or to meet the requirements of section 11(a)(6)(F) of the Federal Deposit Insurance Act, such excess amount shall be deposited in the general fund of the Treasury.

''(6) FUNDS ONLY FOR DEPOSITORS.—Notwithstanding any provision of law other than section 13(c)(4)(G) of the Federal Deposit Insurance Act, funds appropriated under this section shall not be used in any manner to benefit any shareholder of—

''(A) any insured depository institution for which the Corporation has been appointed conservator or receiver, in connection with any type of resolution by the Corporation;

''(B) any other insured depository institution in default or in danger of default, in connection with any type of resolution by the Corporation; or

''(C) any insured depository institution, in connection with the provision of assistance under section 11 or 13 of the Federal Deposit Insurance Act with respect to such institution, except that this subparagraph shall not prohibit assistance to any insured depository institution that is not in default, or that is not in danger of default, that is acquiring (as defined in section 13(f)(8)(B) of such Act) another insured depository institution.''.

SEC. 3. RTC MANAGEMENT REFORMS.

(a) IN GENERAL.—Section 21A of the Federal Home Loan Bank Act (12 U.S.C. 1441a) is amended by adding at the end the following new subsection:

''(w) RTC MANAGEMENT REFORMS.—

''(1) COMPREHENSIVE BUSINESS PLAN.—The Corporation shall establish and maintain a comprehensive business plan covering the operations of the Corporation, including the disposition of assets, for the remainder of the Corporation's existence.

''(2) MARKETING REAL PROPERTY ON AN INDIVIDUAL BASIS.—The Corporation shall—

''(A) market any undivided or controlling interest in real property, whether held directly or indirectly by an institution described in subsection (b)(3)(A), on an individual basis, including sales by auction, for no fewer than 120 days before such assets may be made available for sale or other disposition on a portfolio basis or otherwise included in a multiasset sales initiative, except that this subparagraph does not apply to assets that are—

''(i) sold simultaneously with a resolution in which a buyer purchases a significant proportion of the assets and assumes a significant proportion of the liabilities, or acts as agent of the Corporation for purposes of paying insured deposits, of an institution described in subsection (b)(3)(A); or

''(ii) transferred to a new institution organized pursuant to section 11(d)(2)(F) of the Federal Deposit Insurance Act; and

''(B) prescribe regulations—

''(i) to require that the sale or other disposition of any asset consisting of real property on a portfolio basis or in connection with any multiasset sales initiative after the end of the 120-day period described in subparagraph (A) be justified in writing; and

''(ii) to carry out the requirements of subparagraph (A).

''(3) DISPOSITION OF REAL ESTATE RELATED ASSETS.—

''(A) PROCEDURES FOR DISPOSITION OF REAL ESTATE-RELATED ASSETS.—The Corporation shall not sell real property or any nonperforming real estate loan which the Corporation has acquired as receiver or conservator, unless—

''(i) the Corporation has assigned responsibility for the management and disposition of such asset to a qualified person or entity to—

''(I) analyze each asset on an asset-by-asset basis and consider alternative disposition strategies for such asset;

''(II) develop a written management and disposition plan; and

''(III) implement that plan for a reasonable period of time; or

''(ii) the Corporation has made a determination in writing that a bulk transaction would maximize net recovery to the Corporation, while providing opportunity for broad participation by qualified bidders, including minority- and women-owned businesses.

''(B) DEFINITIONS.—In defining any term for purposes of subparagraph (A), the Corporation may, by regulation, define—

''(i) the term 'asset' so as to include properties or loans which are legally separate and distinct properties or loans, but which have sufficiently common characteristics such that they may be logically treated as a single asset; and

''(ii) the term 'qualified person or entity' so as to include any employee of the Thrift Depositor Protection Oversight Board or any employee assigned to the Corporation under subsection (b)(8).

''(C) EXCEPTIONS.—This paragraph shall not apply to—

''(i) assets that are—

''(I) sold simultaneously with a resolution in which a buyer purchases a significant proportion of the assets and assumes a significant proportion of the liabilities (or acts as agent of the Corporation for purposes of paying insured deposits) of an institution described in subsection (b)(3)(A); or

''(II) transferred to a new institution organized pursuant to section 11(d)(2)(F) of the Federal Deposit Insurance Act;

''(ii) nonperforming real estate loans with a book value of not more than $1,000,000;

''(iii) real property with a book value of not more than $400,000; or

''(iv) real property with a book value of more than $400,000 or nonperforming real estate loans with a book value of more than $1,000,000 for which the Corporation determines, in writing, that a disposition not in conformity with the requirements of sub-

paragraph (A) will bring a greater return to the Corporation.

''(D) COORDINATION WITH PARAGRAPH (2).—No provision of this paragraph shall supersede the requirements of paragraph (2).

''(4) DIVISION OF MINORITIES AND WOMEN PROGRAMS.—

''(A) IN GENERAL.—The Corporation shall maintain a division of minorities and women programs.

''(B) VICE PRESIDENT.—The head of the division shall be a vice president of the Corporation and a member of the executive committee of the Corporation.

''(5) CHIEF FINANCIAL OFFICER.—

''(A) IN GENERAL.—The chief executive officer of the Corporation shall appoint a chief financial officer for the Corporation.

''(B) AUTHORITY.—The chief financial officer of the Corporation shall—

''(i) have no operating responsibilities with respect to the Corporation other than as chief financial officer;

''(ii) report directly to the chief executive officer of the Corporation; and

''(iii) have such authority and duties of chief financial officers of agencies under section 902 of title 31, United States Code, as the Thrift Depositor Protection Oversight Board determines to be appropriate with respect to the Corporation.

''(6) BASIC ORDERING AGREEMENTS.—

''(A) REVISION OF PROCEDURES.—The Corporation shall revise the procedure for reviewing and qualifying applicants for eligibility for future contracts in a specified service area (commonly referred to as 'basic ordering agreements' or 'task ordering agreements') in such manner as may be necessary to ensure that small businesses, minorities, and women are not inadvertently excluded from eligibility for such contracts.

''(B) REVIEW OF LISTS.—To ensure the maximum participation level possible of minority- and women-owned businesses, the Corporation shall—

''(i) review all lists of contractors determined to be eligible for future contracts in a specified service area and other contracting mechanisms; and

''(ii) prescribe appropriate regulations and procedures.

''(7) IMPROVEMENT OF CONTRACTING SYSTEMS AND CONTRACTOR OVERSIGHT.—The Corporation shall—

''(A) maintain such procedures and uniform standards for—

''(i) entering into contracts between the Corporation and private contractors; and

''(ii) overseeing the performance of contractors and subcontractors under such contracts and compliance by contractors and subcontractors with the terms of contracts and applicable regulations, orders, policies, and guidelines of the Corporation,

as may be appropriate in carrying out the Corporation's operations in as efficient and economical a manner as may be practicable;

''(B) commit sufficient resources, including personnel, to contract oversight and the enforcement of all laws, regulations, orders, policies, and standards applicable to contracts with the Corporation; and

''(C) maintain uniform procurement guidelines for basic goods and administrative services to prevent the acquisition of such goods and services at widely different prices.

''(8) AUDIT COMMITTEE.—

''(A) ESTABLISHMENT.—The Thrift Depositor Protection Oversight Board shall establish and maintain an audit committee.

''(B) DUTIES.—The audit committee shall have the following duties:

''(i) Monitor the internal controls of the Corporation.

''(ii) Monitor the audit findings and recommendations of the inspector general of the Corporation and the Comptroller General of the United States and the Corporation's response to the findings and recommendations.

''(iii) Maintain a close working relationship with the inspector general of the Corporation and the Comptroller General of the United States.

''(iv) Regularly report the findings and any recommendation of the audit committee to the Corporation and the Thrift Depositor Protection Oversight Board.

''(v) Monitor the financial operations of the Corporation and report any incipient problem identified by the audit committee to the Corporation and the Thrift Depositor Protection Oversight Board.

''(C) FEDERAL ADVISORY COMMITTEE ACT NOT APPLICABLE.—The audit committee is not an advisory committee within the meaning of section 3(2) of the Federal Advisory Committee Act.

''(9) CORRECTIVE RESPONSES TO AUDIT PROBLEMS.—The Corporation shall—

''(A) respond to problems identified by auditors of the Corporation's financial and asset-disposition operations, including problems identified in audit reports by the inspector general of the Corporation, the Comptroller General of the United States, and the audit committee; or

''(B) certify to the Thrift Depositor Protection Oversight Board that no action is necessary or appropriate.

''(10) ASSISTANT GENERAL COUNSEL FOR PROFESSIONAL LIABILITY.—

''(A) APPOINTMENT.—The Corporation shall appoint, within the division of legal services of the Corporation, an assistant general counsel for professional liability.

''(B) DUTIES.—The assistant general counsel for professional liability shall—

''(i) direct the investigation, evaluation, and prosecution of all professional liability claims involving the Corporation; and

''(ii) supervise all legal, investigative, and other personnel and contractors involved in the litigation of such claims.

''(C) SEMIANNUAL REPORTS TO THE CONGRESS.—The assistant general counsel for professional liability shall submit to the Congress a comprehensive litigation report, not later than—

''(i) April 30 of each year for the 6-month period ending on March 31 of that year; and

''(ii) October 31 of each year for the 6-month period ending on September 30 of that year.

''(D) CONTENTS OF REPORTS.—The semiannual reports required under subparagraph (C) shall each address the activities of the counsel for professional liability under subparagraph (B) and all civil actions—

''(i) in which the Corporation is a party, which are filed against—

''(I) directors or officers of depository institutions described in subsection (b)(3)(A); or

''(II) attorneys, accountants, appraisers, or other licensed professionals who performed professional services for such depository institutions; and

''(ii) which are initiated or pending during the period covered by the report.

''(11) MANAGEMENT INFORMATION SYSTEM.—The Corporation shall maintain an effective management information system capable of providing complete and current information to the extent the provision of such information is appropriate and cost-effective.

''(12) INTERNAL CONTROLS AGAINST FRAUD, WASTE, AND ABUSE.—The Corporation shall maintain effective internal controls designed to prevent fraud, waste, and abuse, identify any such activity should it occur, and promptly correct any such activity.

''(13) FAILURE TO APPOINT CERTAIN OFFICERS OF THE CORPORATION.—The failure to fill any position established under this section or any vacancy in any such position, shall be treated as a failure to comply with the requirements of this subsection for purposes of subsection (i)(4).

''(14) REPORTS.—

''(A) DISCLOSURE OF EXPENDITURES.—The Corporation shall include in the annual report submitted pursuant to subsection (k)(4) an itemization of the expenditures of the Corporation during the year for which funds provided pursuant to subsection (i)(3) were used.

''(B) PUBLIC DISCLOSURE OF SALARIES.—The Corporation shall include in the annual report submitted pursuant to subsection (k)(4) a disclosure of the salaries and other compensation paid during the year covered by the report to directors and senior executive officers at any depository institution for which the Corporation has been appointed conservator or receiver.

''(15) MINORITY- AND WOMEN-OWNED BUSINESSES CONTRACT PARITY GUIDELINES.—The Corporation shall establish guidelines for achieving the goal of a reasonably even distribution of contracts awarded to the various subgroups of the class of minority- and women-owned businesses and minority- and women-owned law firms whose total number of certified contractors comprise not less than 5 percent of all minority- and women-owned certified contractors. The guidelines may reflect the regional and local geographic distributions of minority subgroups. The distribution of contracts should not be accomplished at the expense of any eligible minority- or women-owned business or law firm in any subgroup that falls below the 5 percent threshold in any region or locality.

''(16) CONTRACT SANCTIONS FOR FAILURE TO COMPLY WITH SUBCONTRACT AND JOINT VENTURE REQUIREMENTS.—The Corporation shall prescribe regulations which provide sanctions, including contract penalties and suspensions, for violations by contractors of requirements relating to subcontractors and joint ventures.

''(17) MINORITY PREFERENCE IN ACQUISITION OF INSTITUTIONS IN PREDOMINANTLY MINORITY NEIGHBORHOODS.—

''(A) IN GENERAL.—In considering offers to acquire any insured depository institution, or any branch of an insured depository institution, located in a predominantly minority neighborhood (as defined in regulations prescribed under subsection (s)), the Corporation shall give preference to an offer from any minority individual, minority-owned business, or a minority depository institution, over any other offer that results in the same cost to the Corporation, as determined under section 13(c)(4) of the Federal Deposit Insurance Act.

''(B) CAPITAL ASSISTANCE.—

''(i) ELIGIBILITY.—In order to effectuate the purposes of this paragraph, any minority individual, minority-owned business, or a minority depository institution shall be eligible for capital assistance under the minority interim capital assistance program established under subsection (u)(1) and subject to the provisions of subsection (u)(3), to the extent that such assistance is consistent with the application of section 13(c)(4) of the Federal Deposit Insurance Act.

''(ii) TERMS AND CONDITIONS.—Subsection (u)(4) shall not apply to capital assistance provided under this subparagraph.

''(C) PERFORMING ASSETS.—In the case of an acquisition of any depository institution or branch described in subparagraph (A) by any minority individual, minority-owned business, or a minority depository institution, the Corporation may provide, in connection with such acquisition and in addition to performing assets of the depository institution or branch, other performing assets under the control of the Corporation in an amount (as determined on the basis of the Corporation's estimate of the fair market value of the assets) not greater than the

amount of net liabilities carried on the books of the institution or branch, including deposits, which are assumed in connection with the acquisition.

''(D) FIRST PRIORITY FOR DISPOSITION OF ASSETS.—In the case of an acquisition of any depository institution or branch described in subparagraph (A) by any minority individual, minority-owned business, or a minority depository institution, the disposition of the performing assets of the depository institution or branch to such individual, business, or minority depository institution shall have a first priority over the disposition by the Corporation of such assets for any other purpose.

''(E) DEFINITIONS.—For purposes of this paragraph, the following definitions shall apply:

''(i) ACQUIRE.—The term 'acquire' has the same meaning as in section 13(f)(8)(B) of the Federal Deposit Insurance Act.

''(ii) MINORITY.—The term 'minority' has the same meaning as in section 1204(c)(3) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

''(iii) MINORITY DEPOSITORY INSTITUTION.—The term 'minority depository institution' has the same meaning as in subsection (s)(2).

''(iv) MINORITY-OWNED BUSINESS.—The term 'minority-owned business' has the same meaning as in subsection (r)(4).

''(18) SUBCONTRACTS WITH MINORITY- AND WOMEN-OWNED BUSINESSES.—

''(A) GOALS AND PROCEDURES.—

''(i) REASONABLE GOALS.—The Corporation shall establish reasonable goals for contractors for services with the Corporation to subcontract with minority- and women-owned businesses and law firms.

''(ii) PROCEDURES.—The Corporation may not enter into any contract for the provision of services to the Corporation, including legal services, under which the contractor would receive fees or other compensation in an amount equal to or greater than $500,000, unless the Corporation requires the contractor to subcontract with minority- or women-owned businesses, including law firms, and to pay fees or other compensation to such businesses in an amount commensurate with the percentage of services provided by the business.

''(iii) EXCEPTIONS.—The Corporation may exclude a contract from the requirements of clause (ii) if the Chief Executive Officer of the Corporation determines in writing that imposing such a subcontracting requirement would—

''(I) substantially increase the cost of contract performance; or

''(II) undermine the ability of the contractor to perform its obligations under the contract.

''(B) LIMITED WAIVER AUTHORITY.—

''(i) IN GENERAL.—The Corporation may grant a waiver from the application of this paragraph to any contractor with respect to a contract described in subparagraph (A)(ii), if the contractor certifies to the Corporation that it has determined that no eligible minority- or women-owned business is available to enter into a subcontract (with respect to such contract) and provides an explanation of the basis for such determination.

''(ii) WAIVER PROCEDURES.—Any determination to grant a waiver under clause (i) shall be made in writing by the Chief Executive Officer of the Corporation.

''(C) REPORT.—Each quarterly report submitted by the Corporation pursuant to subsection (k)(7) shall contain a description of each exception granted under subparagraph (A)(iii) and each waiver granted under subparagraph (B) during the quarter covered by the report.

''(D) DEFINITIONS.—For purposes of this paragraph, the following definitions shall apply:

''(i) MINORITY.—The term 'minority' has the same meaning as in section 1204(c)(3) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

''(ii) MINORITY- AND WOMEN-OWNED BUSINESS.—The terms 'minority-owned business' and 'women-owned business' have the same meanings as in subsection (r)(4).

''(19) CONTRACTING PROCEDURES.—

''(A) PROCEDURES.—In awarding any contract subject to the competitive bidding process, the Corporation shall apply competitive bidding procedures that are no less stringent than those in effect on the date of the enactment of the Resolution Trust Corporation Completion Act.

''(B) COST TO TAXPAYER.—Nothing in this Act, or any other provision of law, shall supersede the Corporation's primary duty of minimizing costs to the taxpayer and maximizing the total return to the Government.

''(20) MANAGEMENT OF LEGAL SERVICES.—To improve the management of legal services, the Corporation—

''(A) shall utilize staff counsel when such utilization would provide the same level of quality in legal services as the use of outside counsel at the same or a lower estimated cost; and

''(B) may only employ outside counsel—

''(i) if the use of outside counsel would provide the most practicable, efficient, and cost-effective resolution to the action; and

''(ii) under a negotiated fee, contingent fee, or competitively bid fee agreement.

''(21) CLIENT RESPONSIVENESS UNITS.—The Corporation shall ensure that every regional office of the Corporation contains a client responsiveness unit responsible to the Corporation's ombudsman.''.

(b) BORROWER APPEALS.—Section 21A(b)(4) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)(4)) is amended by adding at the end the following new subparagraph:

''(C) APPEALS.—The Corporation shall implement and maintain a program, in a manner acceptable to the Thrift Depositor Protection Oversight Board, to provide an appeals process for business and commercial borrowers to appeal decisions by the Corporation (when acting as a conservator) which would have the effect of terminating or otherwise adversely affecting credit or loan agreements, lines of credit, and similar arrangements with such borrowers who have not defaulted on their obligations.''.

(c) GAO STUDY OF PROGRESS OF IMPLEMENTATION OF REFORMS.—

(1) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study of the manner in which the reforms required pursuant to the amendment made by subsection (a) are being implemented by the Resolution Trust Corporation and the progress being made by the Corporation toward the achievement of full compliance with such requirements.

(2) INTERIM REPORT TO CONGRESS.—Not later than 6 months after the date of enactment of this Act, the Comptroller General of the United States shall submit an interim report to the Congress containing the preliminary findings of the Comptroller General in connection with the study required under paragraph (1).

(3) FINAL REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Congress containing—

(A) the findings of the Comptroller General in connection with the study required under paragraph (1); and

(B) such recommendations for legislative and administrative action as the Comptroller General may determine to be appropriate.

(4) DISCLOSURE OF PERFORMING ASSET TRANSFERS.—

(A) REPORT REQUIRED.—The Comptroller General of the United States shall submit an annual report to the Congress on transfers of performing assets by the Corporation, categorized by institution, to any acquirer during the year covered by the report.

(B) CONTENTS.—Each report submitted under subparagraph (A) shall contain—

(i) the number and a description of asset transfers during the year covered by the report;

(ii) the number of assets provided in connection with each transaction during such year; and

(iii) a report of an audit by the Comptroller General of the determination of the Corporation of the fair market value of transferred assets at the time of transfer.

(d) UTILIZATION OF SERVICES.—Section 11(d)(2)(K) of the Federal Deposit Insurance Act (12 U.S.C. 1821(d)(2)(K)) is amended—

(1) by inserting ''legal,'' after ''auction marketing,'';

(2) by striking ''if'' and inserting ''only if''; and

(3) by striking ''practicable'' and inserting ''the most practicable''.

(e) RTC NOTICE TO GSA.—

(1) IN GENERAL.—Within a reasonable period of time after acquiring an undivided or controlling interest in any commercial office property in its capacity as conservator or receiver, the Corporation shall notify the Administrator of General Services of such acquisition.

(2) CONTENTS OF NOTICE.—The notice required under paragraph (1) shall contain basic information about the property, including—

(A) the location and condition of the property;

(B) information relating to the estimated fair market value of the property; and

(C) the Corporation's schedule, or estimate of the schedule, for marketing and disposing of the property.

(3) COMPETITIVE BIDDING.—The Administrator of General Services, in compliance with regulations of the Resolution Trust Corporation, may bid on property described in the notice required under paragraph (1) that is otherwise subject to competitive bidding.

SEC. 4. EXTENSION OF STATUTE OF LIMITATIONS.

(a) IN GENERAL.—Section 21A(b) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)) is amended by adding at the end the following new paragraph:

''(14) EXTENSION OF STATUTE OF LIMITATIONS.—

''(A) TORT ACTIONS FOR WHICH THE PRIOR LIMITATION HAS RUN.—

''(i) IN GENERAL.—In the case of any tort claim—

''(I) which is described in clause (ii); and

''(II) for which the applicable statute of limitations under section 11(d)(14)(A)(ii) of the Federal Deposit Insurance Act has expired before the date of enactment of the Resolution Trust Corporation Completion Act;

the statute of limitations which shall apply to an action brought on such claim by the Corporation in the Corporation's capacity as conservator or receiver of an institution described in paragraph (3)(A) shall be the period determined under subparagraph (C).

''(ii) CLAIMS DESCRIBED.—A tort claim referred to in clause (i)(I) with respect to an institution described in paragraph (3)(A) is a claim arising from fraud, intentional misconduct resulting in unjust enrichment, or intentional misconduct resulting in substantial loss to the institution.

''(B) TORT ACTIONS FOR WHICH THE PRIOR LIMITATION HAS NOT RUN.—

''(i) IN GENERAL.—Notwithstanding section 11(d)(14)(A) of the Federal Deposit Insurance Act, in the case of any tort claim—

''(I) which is described in clause (ii); and

''(II) for which the applicable statute of limitations under section 11(d)(14)(A)(ii) of the Federal Deposit Insurance Act has not expired as of the date of enactment of the Resolution Trust Corporation Completion Act;

the statute of limitations which shall apply to an action brought on such claim by the Corporation in the Corporation's capacity as conservator or receiver of an institution described in paragraph (3)(A) shall be the period determined under subparagraph (C).

''(ii) CLAIMS DESCRIBED.—A tort claim referred to in clause (i)(I) with respect to an institution described in paragraph (3)(A) is a claim arising from gross negligence or conduct that demonstrates a greater disregard of a duty of care than gross negligence, including intentional tortious conduct relating to the institution.

''(C) DETERMINATION OF PERIOD.—The period determined under this subparagraph for any claim to which subparagraph (A) or (B) applies shall be the longer of—

''(i) the 5-year period beginning on the date the claim accrues (as determined pursuant to section 11(d)(14)(B) of the Federal Deposit Insurance Act); or

''(ii) the period applicable under State law for such claim.

''(D) SCOPE OF APPLICATION.—Subparagraphs (A) and (B) shall not apply to any action which is brought after the date of the termination of the Corporation under subsection (m)(1).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 11(d)(14)(A)(ii) of the Federal Deposit Insurance Act (12 U.S.C. 1821(d)(14)(A)(ii)) is amended by inserting ''(other than a claim which is subject to section 21A(b)(14) of the Federal Home Loan Bank Act)'' after ''any tort claim''.

SEC. 5. LIMITATION ON BONUSES AND COMPENSATION PAID BY THE RTC AND THE THRIFT DEPOSITOR PROTECTION OVERSIGHT BOARD.

(a) IN GENERAL.—Section 21A of the Federal Home Loan Bank Act (12 U.S.C. 1441a) is amended by adding after subsection (w) (as added by section 3(a) of this Act) the following new subsection:

''(x) LIMITATION ON EXCESSIVE COMPENSATION AND CASH AWARDS.—

''(1) ESTABLISHMENT OF PERFORMANCE APPRAISAL SYSTEM REQUIRED.—The Corporation shall be treated as an agency for purposes of sections 4302 and 4304 of title 5, United States Code.

''(2) PROCEDURES FOR PAYMENT OF CASH AWARDS.—

''(A) IN GENERAL.—Sections 4502, 4503, and 4505a of title 5, United States Code, shall apply with respect to the Corporation.

''(B) LIMITATION ON AMOUNT OF CASH AWARDS.—For purposes of determining the amount of any performance-based cash award payable to any employee of the Corporation under section 4505a of title 5, United States Code, the amount of basic pay of the employee which may be taken into account under such section shall not exceed the amount which is equal to the annual rate of basic pay payable for level I of the Executive Schedule.

''(3) ALL OTHER CASH AWARDS AND BONUSES PROHIBITED.—Except as provided in paragraph (2), no cash award or bonus may be made to any employee of the Corporation.

''(4) LIMITATIONS ON CASH AWARDS AND BONUSES.—No employee shall receive any cash award or bonus if such employee has given notice of an intent to resign to take a position in the private sector before the payment of such cash award or bonus or accepts employment in the private sector not later than 60 days after receipt of such award or bonus.

''(5) LIMITATION ON EXCESSIVE COMPENSATION.—Except as provided in paragraphs (6) and (7), no employee may receive a total amount of allowances, benefits, basic pay, and other compensation, including bonuses and other awards, in excess of the total amount of allowances, benefits, basic pay, and other compensation, including bonuses and other awards, which are provided to the chief executive officer of the Corporation.

''(6) NO REDUCTION IN RATE OF PAY.—The annual rate of basic pay and benefits, including any regional pay differential, payable to any employee who was an employee as of the date of enactment of the Resolution Trust Corporation Completion Act for any year ending after such date of enactment shall not be reduced, by reason of paragraph (5), below the annual rate of basic pay and benefits, including any regional pay differential, paid to such employee, by reason of such employment, as of such date.

''(7) EMPLOYEES SERVING IN ACTING OR TEMPORARY CAPACITY.—In the case of any employee who, as of the date of enactment of the Resolution Trust Corporation Completion Act, is serving in an acting capacity or is otherwise temporarily employed at a higher grade than such employee's regular grade or position of employment—

''(A) the annual rate of basic pay and benefits, including any regional pay differential, payable to such employee in such capacity or at such higher grade shall not be reduced by reason of paragraph (5) so long as such employee continues to serve in such capacity or at such higher grade; and

''(B) after such employee ceases to serve in such capacity or at such higher grade, paragraph (6) shall be applied with respect to such employee by taking into account only the annual rate of basic pay and benefits, including any regional pay differential, payable to such employee in such employee's regular grade or position of employment.

''(8) DEFINITIONS.—

''(A) ALLOWANCES.—For purposes of paragraph (5), the term 'allowances' does not include any allowance for travel and subsistence expenses incurred by an employee while away from home or designated post of duty on official business.

''(B) EMPLOYEE.—For purposes of this subsection and sections 4302, 4502, 4503, and 4505a of title 5, United States Code (as applicable with respect to this subsection), the term 'employee' includes any officer or employee assigned to the Corporation under subsection (b)(8) and any officer or employee of the Thrift Depositor Protection Oversight Board.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) AMENDMENT TO TITLE 5.—Section 5314 of title 5, United States Code, is amended by striking the following item:

''chief executive officer of the Resolution Trust Corporation.''.

(2) FEDERAL HOME LOAN BANK ACT AMENDMENT.—Section 21A(a)(6) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(a)(6)) is amended by adding at the end the following new subparagraph:

''(K) To establish the rate of basic pay, benefits, and other compensation for the chief executive officer of the Corporation.''.

SEC. 6. FDIC–RTC TRANSITION TASK FORCE.

(a) ESTABLISHMENT REQUIRED.—The Federal Deposit Insurance Corporation and the Resolution Trust Corporation shall establish an interagency transition task force. The task force shall facilitate the transfer of the assets, personnel, and operations of the Resolution Trust Corporation to the Federal Deposit Insurance Corporation or the FSLIC Resolution Fund, as the case may be, in a coordinated manner.

(b) MEMBERS.—

(1) IN GENERAL.—The transition task force shall consist of such number of officers and employees of the Federal Deposit Insurance Corporation and the Resolution Trust Corporation as the Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation and the chief executive officer of the Resolution Trust Corporation may jointly determine to be appropriate.

(2) APPOINTMENT.—The Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation and the chief executive officer of the Resolution Trust Corporation shall appoint the members of the transition task force.

(3) NO ADDITIONAL PAY.—Members of the transition task force shall receive no additional pay, allowances, or benefits by reason of their service on the task force.

(c) DUTIES.—The transition task force shall have the following duties:

(1) Examine the operations of the Federal Deposit Insurance Corporation and the Resolution Trust Corporation to identify, evaluate, and resolve differences in the operations of the corporations to facilitate an orderly merger of such operations.

(2) Recommend which of the management, resolution, or asset disposition systems of the Resolution Trust Corporation should be preserved for use by the Federal Deposit Insurance Corporation.

(3) Recommend procedures to be followed by the Federal Deposit Insurance Corporation and the Resolution Trust Corporation in connection with the transition which will promote—

(A) coordination between the corporations before the termination of the Resolution Trust Corporation; and

(B) an orderly transfer of assets, personnel, and operations.

(4) Evaluate the management enhancement goals applicable to the Resolution Trust Corporation under section 21A(p) of the Federal Home Loan Bank Act and recommend which of such goals should apply to the Federal Deposit Insurance Corporation.

(5) Evaluate the management reforms applicable to the Resolution Trust Corporation under section 21A(w) of the Federal Home Loan Bank Act and recommend which of such reforms should apply to the Federal Deposit Insurance Corporation.

(d) REPORTS TO BANKING COMMITTEES.—

(1) REPORTS REQUIRED.—The transition task force shall submit a report to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate not later than January 1, 1995, and a second report not later than July 1, 1995, on the progress made by the transition task force in meeting the requirements of this section.

(2) CONTENTS OF REPORT.—The reports required to be submitted under paragraph (1) shall contain the findings and recommendations made by the transition task force in carrying out the duties of the task force under subsection (c) and such recommendations for legislative and administrative action as the task force may determine to be appropriate.

(e) FOLLOWUP REPORT BY FDIC.—Not later than January 1, 1996, the Federal Deposit Insurance Corporation shall submit a report to the Committee on Banking, Finance and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate containing—

(1) a description of the recommendations of the transition task force which have been adopted by the Corporation;

(2) a description of the recommendations of the transition task force which have not been adopted by the Corporation;

(3) a detailed explanation of the reasons why the Corporation did not adopt each recommendation described in paragraph (2); and

(4) a description of the actions taken by the Corporation to comply with section 21A(m)(3) of the Federal Home Loan Bank Act.

SEC. 7. AMENDMENTS RELATING TO THE TERMINATION OF THE RTC.

(a) AMENDMENT RELATING TO TRANSFER OF PERSONNEL AND SYSTEMS.—Section 21A(m) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(m)) is amended by adding at the end the following new paragraph:

''(3) TRANSFER OF PERSONNEL AND SYSTEMS.—In connection with the assumption by the Federal Deposit Insurance Corporation of conservatorship and receivership functions with respect to institutions described in subsection (b)(3)(A) and the termination of the Corporation pursuant to paragraph (1)—

''(A) any management, resolution, or asset-disposition system of the Corporation which the Secretary of the Treasury determines, after considering the recommendations of the interagency transition task force under section 6(c) of the Resolution Trust Corporation Completion Act, has been of benefit to the operations of the Corporation (including any personal property of the Corporation which is used in operating any such system) shall, notwithstanding paragraph (2), be transferred to and used by the Federal Deposit Insurance Corporation in a manner which preserves the integrity of the system for so long as such system is efficient and cost-effective; and

''(B) any personnel of the Corporation involved with any such system who are otherwise eligible to be transferred to the Federal Deposit Insurance Corporation shall be transferred to the Federal Deposit Insurance Corporation for continued employment, subject to section 404(9) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 and other applicable provisions of this section, with respect to such system.''.

(b) AMENDMENT RELATING TO DATE OF TERMINATION.—Section 21A(m)(1) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(m)(1)) is amended by striking ''December 31, 1996'' and inserting ''December 31, 1995''.

SEC. 8. SAIF FUNDING AUTHORIZATION AMENDMENTS.

(a) AMENDMENT TO SAIF FUNDING PROVISION.—Section 11(a)(6)(D) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)(6)(D)) is amended to read as follows:

''(D) TREASURY PAYMENTS TO FUND.—To the extent of the availability of amounts provided in appropriation Acts and subject to subparagraphs (E) and (G), the Secretary of the Treasury shall pay to the Savings Association Insurance Fund such amounts as may be needed to pay losses incurred by the Fund in fiscal years 1994 through 1998.''.

(b) CERTIFICATION OF NEED FOR FUNDS AND OTHER CONDITIONS ON SAIF FUNDING.—Section 11(a)(6)(E) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)(6)(E)) is amended to read as follows:

''(E) CERTIFICATION CONDITIONS ON AVAILABILITY OF FUNDING.—No amount appropriated for payments by the Secretary of the Treasury in accordance with subparagraph (D) for any fiscal year may be expended unless the Chairperson of the Board of Directors certifies to the Congress, at any time before the beginning of or during such fiscal year, that—

''(i) such amount is needed to pay for losses which have been incurred or can reasonably be expected to be incurred by the Savings Association Insurance Fund;

''(ii) the Board of Directors has determined that—

''(I) Savings Association Insurance Fund members, in the aggregate, are unable to pay additional semiannual assessments under section 7(b) at the assessment rates which would be required in order to cover, from such additional assessments, losses which have been incurred or can reasonably be expected to be incurred by the Fund without adversely affecting the ability of such members to raise and maintain capital or to maintain the members' assessment base; and

''(II) an increase in the assessment rates for Savings Association Insurance Fund members to cover such losses could reasonably be expected to result in greater losses to the Government;

''(iii) the Board of Directors has determined that—

''(I) Savings Association Insurance Fund members, in the aggregate, are unable to pay additional semiannual assessments under section 7(b) at the assessment rates which would be required in order to meet the repayment schedule required under section 14(c) for any amount borrowed under section 14(a) to cover losses which have been incurred or can reasonably be expected to be incurred by the Fund without adversely affecting the ability of such members to raise and maintain capital or to maintain the members' assessment base; and

''(II) an increase in the assessment rates for Savings Association Insurance Fund members to meet any such repayment schedule could reasonably be expected to result in greater losses to the Government;

''(iv) as of the date of certification, the Corporation has in effect procedures designed to ensure that the activities of the Savings Association Insurance Fund and the affairs of any Savings Association Insurance Fund member for which a conservator or receiver has been appointed are conducted in an efficient manner and the Corporation is in compliance with such procedures;

''(v) with respect to the most recent audit of the Savings Association Insurance Fund by the Comptroller General of the United States before the date of the certification—

''(I) the Corporation has taken or is taking appropriate action to implement any recommendation made by the Comptroller General; or

''(II) no corrective action is necessary or appropriate;

''(vi) the Corporation has provided for the appointment of a chief financial officer who—

''(I) does not have other operating responsibilities;

''(II) will report directly to the Chairperson of the Corporation; and

''(III) will have such authority and duties of chief financial officers under section 902 of title 31, United States Code, as the Board of Directors of the Corporation determines to be appropriate with respect to the Corporation;

''(vii) the Corporation has provided for the appointment of a senior officer whose responsibilities shall include setting uniform standards for contracting and contracting enforcement in connection with the administration of the Fund;

''(viii) the Corporation is implementing the minority outreach provisions mandated by section 1216 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989;

''(ix) the Corporation has provided for the appointment of a senior attorney, at the assistant general counsel level or above, responsible for professional liability cases; and

''(x) the Corporation has improved the management of legal services by—

''(I) utilizing staff counsel when such utilization would provide the same level of quality in legal services as the use of outside counsel at the same or a lower estimated cost; and

''(II) employing outside counsel only if the use of outside counsel would provide the most practicable, efficient, and cost-effective resolution to the action and only under a negotiated fee, contingent fee, or competitively bid fee agreement.''.

(c) AVAILABILITY OF UNEXPENDED RTC FUNDING FOR SAIF.—Section 11(a)(6)(F) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)(6)(F)) is amended to read as follows:

''(F) AVAILABILITY OF RTC FUNDING.—At any time before the end of the 2-year period beginning on the date of the termination of the Resolution Trust Corporation, the Secretary of the Treasury shall provide, out of funds appropriated to the Resolution Trust Corporation pursuant to section 21A(i)(3) of the Federal Home Loan Bank Act and not expended by the Resolution Trust Corporation, to the Savings Association Insurance Fund, for any year such amounts as are needed by the Fund and are not needed by the Resolution Trust Corporation, if the Chairperson of the Board of Directors has certified to the Congress that—

''(i) such amount is needed to pay for losses which have been incurred or can reasonably be expected to be incurred by the Savings Association Insurance Fund;

''(ii) the Board of Directors has determined that—

''(I) Savings Association Insurance Fund members, in the aggregate, are unable to pay additional semiannual assessments under section 7(b) at the assessment rates which would be required in order to cover, from such additional assessments, losses which have been incurred or can reasonably be expected to be incurred by the Savings Association Insurance Fund without adversely affecting the ability of such members to raise and maintain capital or to maintain the members' assessment base; and

''(II) an increase in the assessment rates for Savings Association Insurance Fund members to cover such losses could reasonably be expected to result in greater losses to the Government;

''(iii) the Board of Directors has determined that—

''(I) Savings Association Insurance Fund members, in the aggregate, are unable to pay additional semiannual assessments under section 7(b) at the assessment rates which would be required in order to meet the repayment schedule required under section 14(c) for any amount borrowed under section 14(a) to cover losses which have been incurred or can reasonably be expected to be incurred by the Savings Association Insurance Fund without adversely affecting the ability of such members to raise and maintain capital or to maintain such members' assessment base; and

''(II) an increase in the assessment rates for Savings Association Insurance Fund members to meet any such repayment schedule could reasonably be expected to result in greater losses to the Government;

''(iv) the Corporation has provided for the appointment of a chief financial officer who—

''(I) does not have other operating responsibilities;

''(II) will report directly to the Chairperson of the Corporation; and

''(III) will have such authority and duties of chief financial officers under section 902 of title 31, United States Code, as the Board of Directors of the Corporation determines to be appropriate with respect to the Corporation;

''(v) the Corporation has provided for the appointment of a senior officer whose responsibilities shall include setting uniform standards for contracting and contracting enforcement in connection with the administration of the Fund;

''(vi) the Corporation is implementing the minority outreach provisions mandated by section 1216 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989;

''(vii) the Corporation has provided for the appointment of a senior attorney, at the assistant general counsel level or above, responsible for professional liability cases; and

''(viii) the Corporation has improved the management of legal services by—

''(I) utilizing staff counsel when such utilization would provide the same level of quality in legal services as the use of outside counsel at the same or a lower estimated cost; and

''(II) employing outside counsel only if the use of outside counsel would provide the most practicable, efficient, and cost-effective resolution to the action and only under a negotiated fee, contingent fee, or competitively bid fee agreement.''.

(d) APPEARANCES BEFORE THE BANKING COMMITTEES.—Section 11(a)(6)(H) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)(6)(H)) is amended to read as follows:

''(H) APPEARANCE UPON REQUEST.—The Secretary of the Treasury and the Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation shall appear before the Committee on Banking, Finance and Urban Affairs of the House of Representatives or the Committee on Banking, Housing, and Urban Affairs of the Senate, upon the request of the chairman of the committee, to report on any certification made to the Congress under subparagraph (E) or (F).''.

(e) AMENDMENTS TO AUTHORIZATION OF APPROPRIATION.—Section 11(a)(6)(J) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)(6)(J)) is amended—

(1) by striking ''There are'' and inserting ''Subject to subparagraph (E), there are''; and

(2) by striking ''of this paragraph, except'' and all that follows through the period and inserting the following: ''of subparagraph (D) for fiscal years 1994 through 1998, except that the aggregate amount appropriated pursuant to this authorization may not exceed $8,000,000,000.''.

(f) RETURN OF TRANSFERRED AND UNEXPENDED AMOUNTS TO TREASURY.—Section 11(a)(6) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)(6)) is amended by adding at the end the following new subparagraph:

''(K) RETURN TO TREASURY.—If the aggregate amount of funds transferred to the Savings Association Insurance Fund under subparagraph (D) or (F) exceeds the amount needed to cover losses incurred by the Fund, such excess amount shall be deposited in the general fund of the Treasury.''.

(g) GAO REPORT.—Not later than 60 days after receipt of any certification submitted pursuant to subparagraph (E) or (F) of section 11(a)(6) of the Federal Deposit Insurance Act, the Comptroller General shall transmit a report to the Congress evaluating any such certification.

(h) ADJUSTMENT OF SAIF SCHEDULE.—Effective on the effective date of the amendment made by section 302(a) of the Federal Deposit Insurance Corporation Improvement Act of 1991, section 7(b)(3)(C) of the Federal Deposit Insurance Act (12 U.S.C. 1817(b)(3)(C)) is amended by striking '', but such amendments may not extend the date specified in subparagraph (B)'' and inserting ''and such amendment may extend the date specified in subparagraph (B) to such later date as the Corporation determines will, over time, maximize the amount of semiannual assessments received by the Savings Association Insurance Fund, net of insurance losses incurred by the Fund.''.

(i) TECHNICAL AND CONFORMING AMENDMENTS.—Section 11(a)(6)(G) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)(6)(G)) is amended—

(1) by striking ''subparagraphs (E) and (F)'' and inserting ''subparagraph (D)''; and

(2) in the heading, by striking ''SUBPARAGRAPHS (E) AND (F)'' and inserting ''SUBPARAGRAPH (D)''.

SEC. 9. MORATORIUM EXTENSION.

(a) CONVERSION MORATORIUM UNTIL SAIF RECAPITALIZED.—Section 5(d)(2)(A)(ii) of the Federal Deposit Insurance Act (12 U.S.C. 1815(d)(2)(A)(ii)) is amended—

(1) by striking ''before the end'' and inserting ''before the later of the end''; and

(2) by inserting ''or the date on which the Savings Association Insurance Fund first meets or exceeds the designated reserve ratio for such fund'' before the period.

(b) CLARIFICATION OF DEFINITION.—Section 5(d)(2)(B) of the Federal Deposit Insurance Act (12 U.S.C. 1815(d)(2)(B)) is amended—

(1) by striking the period at the end of clause (iv) and inserting ''; and''; and

(2) by adding at the end the following:

''(v) the transfer of deposits—

''(I) from a Bank Insurance Fund member to a Savings Association Insurance Fund member; or

''(II) from a Savings Association Insurance Fund member to a Bank Insurance Fund member;

in a transaction in which the deposit is received from a depositor at an insured depository institution for which a receiver has been appointed and the receiving insured depository institution is acting as agent for the Corporation in connection with the payment of such deposit to the depositor at the institution for which a receiver has been appointed.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Section 5(d) of the Federal Deposit Insurance Act (12 U.S.C. 1815(d)) is amended—

(1) in clauses (ii) and (iii) of paragraph (2)(C); and

(2) in paragraph (3)(I)(i);

by striking ''5-year period referred to in'' and inserting ''moratorium period established by''.

SEC. 10. REPAYMENT SCHEDULE FOR PERMANENT FDIC BORROWING AUTHORITY.

Section 14(c) of the Federal Deposit Insurance Act (12 U.S.C. 1824(c)) is amended by adding at the end the following new paragraph:

''(3) INDUSTRY REPAYMENT.—

''(A) BIF MEMBER PAYMENTS.—No agreement or repayment schedule under paragraph (1) shall require any payment by a Bank Insurance Fund member for funds obtained under subsection (a) for purposes of the Savings Association Fund.

''(B) SAIF MEMBER PAYMENTS.—No agreement or repayment schedule under paragraph (1) shall require any payment by a Savings Association Insurance Fund member for funds obtained under subsection (a) for purposes of the Bank Insurance Fund.''.

SEC. 11. DEPOSIT INSURANCE FUNDS.

Section 11(a)(4) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)(4)) is amended to read as follows:

''(4) GENERAL PROVISIONS RELATING TO FUNDS.—

''(A) MAINTENANCE AND USE OF FUNDS.—The Bank Insurance Fund established under paragraph (5) and the Savings Association Insurance Fund established under paragraph (6) shall each be—

''(i) maintained and administered by the Corporation;

''(ii) maintained separately and not commingled; and

''(iii) used by the Corporation to carry out its insurance purposes in the manner provided in this subsection.

''(B) LIMITATION ON USE.—Notwithstanding any provision of law other than section 13(c)(4)(G), the Bank Insurance Fund and the Savings Association Insurance Fund shall not be used in any manner to benefit any shareholder of—

''(i) any insured depository institution for which the Corporation or the Resolution Trust Corporation has been appointed conservator or receiver, in connection with any type of resolution by the Corporation or the Resolution Trust Corporation;

''(ii) any other insured depository institution in default or in danger of default, in connection with any type of resolution by the Corporation or the Resolution Trust Corporation; or

''(iii) any insured depository institution, in connection with the provision of assistance under this section or section 13 with respect to such institution, except that this clause shall not prohibit any assistance to any insured depository institution that is not in default, or that is not in danger of default, that is acquiring (as defined in section 13(f)(8)(B)) another insured depository institution.''.

SEC. 12. MAXIMUM DOLLAR LIMITS FOR ELIGIBLE CONDOMINIUM AND SINGLE FAMILY PROPERTIES UNDER RTC AFFORDABLE HOUSING PROGRAM.

Section 21A(c)(9) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(c)(9)) is amended—

(1) in subparagraph (D), by striking clause (ii) and inserting the following new clause:

''(ii) that has an appraised value that does not exceed—

''(I) $67,500 in the case of a 1-family residence, $76,000 in the case of a 2-family residence, $92,000 in the case of a 3-family residence, and $107,000 in the case of a 4-family residence; or

''(II) only to the extent or in such amounts as are provided in appropriation Acts for additional costs and losses to the Corporation resulting from this subclause taking effect, the amount provided in section 203(b)(2)(A) of the National Housing Act, except that such amount shall not exceed $101,250 in the case of a 1-family residence, $114,000 in the case of a 2-family residence, $138,000 in the case of a 3-family residence, and $160,500 in the case of a 4-family residence.''; and

(2) in subparagraph (G)—

(A) by moving subclause (I) two ems to the left and redesignating such subclause as clause (i); and

(B) by striking subclause (II) and inserting the following new clause:

''(ii) that has an appraised value that does not exceed—

''(I) $67,500 in the case of a 1-family residence, $76,000 in the case of a 2-family residence, $92,000 in the case of a 3-family residence, and $107,000 in the case of a 4-family residence; or

''(II) only to the extent or in such amounts as are provided in appropriation Acts for additional costs and losses to the Corporation resulting from this subclause taking effect, the amount provided in section 203(b)(2)(A) of the National Housing Act, except that such amount shall not exceed $101,250 in the case of a 1-family residence, $114,000 in the case of a 2-family residence, $138,000 in the case of a 3-family residence, and $160,500 in the case of a 4-family residence.''.

SEC. 13. CHANGES AFFECTING ONLY FDIC AFFORDABLE HOUSING PROGRAM.

Section 40(p) of the Federal Deposit Insurance Act (12 U.S.C. 1831q(p)) is amended in paragraphs (4)(A), (5)(A), and (7)(A), by inserting before ''; and'' each place it appears the following: ''in its corporate capacity, its capacity as conservator, or its capacity as receiver (including in its capacity as the sole owner of a subsidiary corporation of a depository institution under conservatorship or receivership, which subsidiary has as its

principal business the ownership of real property)''.

SEC. 14. CHANGES AFFECTING BOTH RTC AND FDIC AFFORDABLE HOUSING PROGRAMS.

(a) NOTICE TO CLEARINGHOUSES REGARDING PROPERTIES NOT INCLUDED IN PROGRAMS.—

(1) RTC.—Section 21A(c) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(c)) is amended by adding at the end the following new paragraph:

''(16) NOTICE TO CLEARINGHOUSES REGARDING INELIGIBLE PROPERTIES.—

''(A) IN GENERAL.—Within a reasonable period of time after acquiring title to an ineligible residential property, the Corporation shall, to the extent practicable, provide written notice to clearinghouses.

''(B) CONTENT.—For ineligible single family properties, such notice shall contain the same information about such properties that the notice required under paragraph (2)(A) contains with respect to eligible single family properties. For ineligible multifamily housing properties, such notice shall contain the same information about such properties that the notice required under paragraph (3)(A) contains with respect to eligible multifamily housing properties. For ineligible condominium properties, such notice shall contain the same information about such properties that the notice required under paragraph (14)(A) contains with respect to eligible condominium properties.

''(C) AVAILABILITY.—The clearinghouses shall make such information available, upon request, to other public agencies, other nonprofit organizations, qualifying households, qualifying multifamily purchasers, and other purchasers, as appropriate.

''(D) DEFINITIONS.—For purposes of this paragraph, the following definitions shall apply:

''(i) INELIGIBLE CONDOMINIUM PROPERTY.—The term 'ineligible condominium property' means a condominium unit, as such term is defined in section 604 of the Housing and Community Development Act of 1980—

''(I) to which the Corporation acquires title in its corporate capacity, its capacity as conservator, or its capacity as receiver (including its capacity as the sole owner of a subsidiary corporation of a depository institution under conservatorship or receivership, which subsidiary corporation has as its principal business the ownership of real property);

''(II) that has an appraised value that does not exceed the applicable dollar amount limitation for the property under paragraph (9)(D)(ii)(II); and

''(III) that is not an eligible condominium property.

''(ii) INELIGIBLE MULTIFAMILY HOUSING PROPERTY.—The term 'ineligible multifamily housing property' means a property consisting of more than 4 dwelling units—

''(I) to which the Corporation acquires title in its capacity as conservator (including its capacity as the sole owner of a subsidiary corporation of a depository institution under conservatorship, which subsidiary corporation has as its principal business the ownership of real property);

''(II) that has an appraised value that does not exceed, for such part of the property as may be attributable to dwelling use (excluding exterior land improvements), the dollar amount limitations under paragraph (9)(E)(i)(II); and

''(III) that is not an eligible multifamily housing property.

''(iii) INELIGIBLE SINGLE FAMILY PROPERTY.—The term 'ineligible single family property' means a 1- to 4-family residence (including a manufactured home)—

''(I) to which the Corporation acquires title in its corporate capacity, its capacity as conservator, or its capacity as receiver (including its capacity as the sole owner of a subsidiary corporation of a depository institution under conservatorship or receivership, which subsidiary corporation has as its principal business the ownership of real property);

''(II) that has an appraised value that does not exceed the applicable dollar amount limitation for the property under paragraph (9)(G)(ii)(II); and

''(III) that is not an eligible single family property.

''(iv) INELIGIBLE RESIDENTIAL PROPERTY.—The term 'ineligible residential property' includes ineligible single family properties, ineligible multifamily housing properties, and ineligible condominium properties.''.

(2) FDIC.—Section 40 of the Federal Deposit Insurance Act (12 U.S.C. 1831q) is amended by adding at the end the following new subsection:

''(q) NOTICE TO CLEARINGHOUSES REGARDING INELIGIBLE PROPERTIES.—

''(1) IN GENERAL.—Within a reasonable period of time after acquiring title to an ineligible residential property, the Corporation shall, to the extent practicable, provide written notice to clearinghouses.

''(2) CONTENT.—For ineligible single family properties, such notice shall contain the same information about such properties that the notice required under subsection (c)(1) contains with respect to eligible single family properties. For ineligible multifamily housing properties, such notice shall contain the same information about such properties that the notice required under subsection (d)(1) contains with respect to eligible multifamily housing properties. For ineligible condominium properties, such notice shall contain the same information about such properties that the notice required under subsection (l)(1) contains with respect to eligible condominium properties.

''(3) AVAILABILITY.—The clearinghouses shall make such information available, upon request, to other public agencies, other nonprofit organizations, qualifying households, qualifying multifamily purchasers, and other purchasers, as appropriate.

''(4) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

''(A) INELIGIBLE CONDOMINIUM PROPERTY.—The term 'ineligible condominium property' means any eligible condominium property to which the provisions of this section do not apply as a result of the limitations under subsection (b)(2)(A).

''(B) INELIGIBLE MULTIFAMILY HOUSING PROPERTY.—The term 'ineligible multifamily housing property' means any eligible multifamily housing property to which the provisions of this section do not apply as a result of the limitations under subsection (b)(2)(A).

''(C) INELIGIBLE SINGLE FAMILY PROPERTY.—The term 'ineligible single family property' means any eligible single family property to which the provisions of this section do not apply as a result of the limitations under subsection (b)(2)(A).

''(D) INELIGIBLE RESIDENTIAL PROPERTY.—The term 'ineligible residential property' includes ineligible single family properties, ineligible multifamily housing properties, and ineligible condominium properties.''.

(b) AFFORDABLE HOUSING ADVISORY BOARD.—

(1) ESTABLISHMENT.—There is hereby established the Affordable Housing Advisory Board (in this subsection referred to as the ''Advisory Board'') to advise the Thrift Depositor Protection Oversight Board and the Board of Directors of the Federal Deposit Insurance Corporation on policies and programs related to the provision of affordable housing, including the operation of the affordable programs.

(2) MEMBERSHIP.—The Advisory Board shall consist of—

(A) the Secretary of Housing and Urban Development;

(B) the Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation (or the Chairperson's delegate), who shall be a nonvoting member;

(C) the Chairperson of the Thrift Depositor Protection Oversight Board (or the Chairperson's delegate), who shall be a nonvoting member;

(D) 4 persons appointed by the Secretary of Housing and Urban Development not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, who represent the interests of individuals and organizations involved in using the affordable housing programs (including nonprofit organizations, public agencies, and for-profit organizations that purchase properties under the affordable housing programs, organizations that provide technical assistance regarding the affordable housing programs, and organizations that represent the interest of low- and moderate-income families); and

(E) 2 persons who are members of the National Housing Advisory Board pursuant to section 21A(d)(2)(B)(ii) of the Federal Home Loan Bank Act (as in effect before the effective date of the repeal under subsection (c)(2)), who shall be appointed by such Board before such effective date.

(3) TERMS.—Each member shall be appointed for a term of 4 years, except as provided in paragraphs (4) and (5).

(4) TERMS OF INITIAL APPOINTEES.—

(A) PERMANENT POSITIONS.—As designated by the Secretary of Housing and Urban Development at the time of appointment, of the members first appointed under paragraph (2)(D)—

(i) 1 shall be appointed for a term of 1 year;

(ii) 1 shall be appointed for a term of 2 years;

(iii) 1 shall be appointed for a term of 3 years; and

(iv) 1 shall be appointed for a term of 4 years.

(B) INTERIM MEMBERS.—The members of the Advisory Board under paragraph (2)(E) shall be appointed for a single term of 4 years, which shall begin upon the earlier of (i) the expiration of the 90-day period beginning on the date of the enactment of this Act, or (ii) the first meeting of the Advisory Board.

(5) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(6) MEETINGS.—

(A) TIMING AND LOCATION.—The Advisory Board shall meet 4 times a year, or more frequently if requested by the Thrift Depositor Protection Oversight Board or the Board of Directors of the Federal Deposit Insurance Corporation. In each year, the Advisory Board shall conduct such meetings at various locations in different regions of the United States in which substantial residential property assets of the Federal Deposit Insurance Corporation or the Resolution Trust Corporation are located. The first meeting of the Advisory Board shall take place not later than the expiration of the 90-day period beginning on the date of the enactment of this Act.

(B) ADVICE.—The Advisory Board shall submit information and advice resulting from each meeting, in such form as the Board considers appropriate, to the Thrift Depositor Protection Oversight Board and the Board of Directors of the Federal Deposit Insurance Corporation.

(7) ANNUAL REPORTS.—For each year, the Advisory Board shall submit a report containing its findings and recommendations to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance and Urban Affairs of the House of Representatives, the Federal Deposit Insurance Corporation, and the Resolution Trust Corporation. The first such report shall be made not later than the expiration of the 6-month period beginning on the date of the enactment of this Act.

(8) DEFINITION.—For purposes of this subsection, the term ''affordable housing programs'' means the program under section 21A(c) of the Federal Home Loan Bank Act and the program under section 40 of the Federal Deposit Insurance Act.

(9) SUNSET.—The Advisory Board established under this subsection shall terminate on September 30, 1998.

(c) TERMINATION OF NATIONAL HOUSING ADVISORY BOARD.—

(1) TERMINATION.—The National Housing Advisory Board under section 21A(d)(2) of the Federal Home Loan Bank Act shall terminate upon the expiration of the 90-day period beginning on the date of the enactment of this Act.

(2) REPEAL.—Effective upon the expiration of the period referred to in paragraph (1), paragraph (2) of section 21A(d) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(d)(2)) is amended to read as follows:

''(2) [Reserved]''.

(d) PROVISION OF INFORMATION REGARDING SELLER FINANCING TO MINORITY- AND WOMEN-OWNED BUSINESSES.—

(1) RTC.—Section 21A(c)(6)(A)(ii) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(c)(6)(A)(ii)) is amended by adding at the end the following new sentences: ''The Corporation shall periodically provide, to a wide range of minority- and women-owned businesses engaged in providing affordable housing and to nonprofit organizations, more than 50 percent of the control of which is held by 1 or more minority individuals, that are engaged in providing affordable housing, information that is sufficient to inform such businesses and organizations of the availability and terms of financing under this clause; such information may be provided directly, by notices published in periodicals and other publications that regularly provide information to such businesses or organizations, and through persons and organizations that regularly provide information or services to such businesses or organizations. For purposes of this clause, the terms 'women-owned business' and 'minority-owned business' have the meanings given such terms in subsection (r), and the term 'minority' has the meaning given such term in section 1204(c)(3) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.''.

(2) FDIC.—Section 40(g)(1)(B) of the Federal Deposit Insurance Act (12 U.S.C. 1831q(g)(1)(B)) is amended by adding at the end the following new sentences: ''The Corporation shall periodically provide, to a wide range of minority- and women-owned businesses engaged in providing affordable housing and to nonprofit organizations, more than 50 percent of the control of which is held by 1 or more minority individuals, that are engaged in providing affordable housing, information that is sufficient to inform such businesses and organizations of the availability and terms of financing under this subparagraph; such information may be provided directly, by notices published in periodicals and other publications that regularly provide information to such businesses or organizations, and through persons and organizations that regularly provide information or services to such businesses or organizations. For purposes of this subparagraph, the terms 'women-owned business' and 'minority-owned business' have the meanings given such terms in section 21A(r) of the Federal Home Loan Bank Act, and the term 'minority' has the meaning given such term in section 1204(c)(3) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.''.

(e) AUTHORITY TO CARRY OUT UNIFIED AFFORDABLE HOUSING PROGRAM.—

(1) RTC.—Section 21A(c) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(c)) is amended by adding after paragraph (16) (as added by subsection (a) of this section) the following new paragraph:

''(17) UNIFIED AFFORDABLE HOUSING PROGRAM.—

''(A) IN GENERAL.—Not later than 4 months after the date of enactment of the Resolution Trust Corporation Completion Act, the Corporation shall enter into an agreement, as described in section 40(n)(3) of the Federal Deposit Insurance Act, with the Federal Deposit Insurance Corporation that sets out a plan for the orderly unification of the Corporation's activities, authorities, and responsibilities under this subsection with the authorities, activities, and responsibilities of the Federal Deposit Insurance Corporation pursuant to section 40 of the Federal Deposit Insurance Act in a manner that best achieves an effective and comprehensive affordable housing program management structure. The agreement shall be entered into after consultation with the Affordable Housing Advisory Board under section 14(b) of the Resolution Trust Corporation Completion Act.

''(B) AUTHORITY AND IMPLEMENTATION.—The Corporation shall have the authority to carry out the provisions of the agreement entered into pursuant to subparagraph (A) and shall implement such agreement as soon as practicable, but in no event later than 8 months after the date of enactment of the Resolution Trust Corporation Completion Act.

''(C) TRANSFER OF AUTHORITY.—Effective upon October 1, 1995, any remaining authority and responsibilities of the Corporation under this subsection shall be carried out by the Federal Deposit Insurance Corporation.''.

(2) FDIC.—Section 40(n) of the Federal Deposit Insurance Act (12 U.S.C. 1831q(n)) is amended to read as follows:

''(n) UNIFIED AFFORDABLE HOUSING PROGRAMS.—

''(1) IN GENERAL.—Not later than 4 months after the date of enactment of the Resolution Trust Corporation Completion Act, the Corporation shall enter into an agreement, as described in paragraph (3), with the Resolution Trust Corporation that sets out a plan for the orderly unification of the Corporation's activities, authorities, and responsibilities under this section with the authorities, activities, and responsibilities of the Resolution Trust Corporation pursuant to section 21A(c) of the Federal Home Loan Bank Act in a manner that best achieves an effective and comprehensive affordable housing program management structure. The agreement shall be entered into after consultation with the Affordable Housing Advisory Board under section 14(b) of the Resolution Trust Corporation Completion Act.

''(2) AUTHORITY AND IMPLEMENTATION.—The Corporation shall have the authority to carry out the provisions of the agreement entered into pursuant to paragraph (1) and shall implement such agreement as soon as practicable but in no event later than 8 months after the date of enactment of the Resolution Trust Corporation Completion Act.

''(3) TERMS OF AGREEMENT.—The agreement required under paragraph (1) shall provide a plan for—

''(A) a program unifying all activities and responsibilities of the Corporation and the Resolution Trust Corporation, and the design of the unified program shall take into consideration the substantial experience of the Resolution Trust Corporation regarding—

''(i) seller financing;

''(ii) technical assistance;

''(iii) marketing skills and relationships with public and nonprofit entities; and

''(iv) staff resources;

''(B) the elimination of duplicative and unnecessary administrative costs and resources;

''(C) the management structure of the unified program;

''(D) a timetable for the unification; and

''(E) a methodology to determine the extent to which the provisions of this section shall be effective, in accordance with the limitations under subsection (b)(2).

''(4) TRANSFER TO FDIC.—Beginning not later than October 1, 1995, the Corporation shall carry out any remaining authority and responsibilities of the Resolution Trust Corporation, as set forth in section 21A(c) of the Federal Home Loan Bank Act.''.

(f) LIABILITY PROVISIONS.—

(1) RTC.—Section 21A(c)(11) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(c)(11)) is amended by adding at the end the following new subparagraph:

''(D) CORPORATION.—The Corporation shall not be liable to any depositor, creditor, or shareholder of any insured depository institution for which the Corporation has been appointed receiver or conservator, or of any subsidiary corporation of a depository institution under conservatorship or receivership, or any claimant against such an institution or subsidiary, because the disposition of assets of the institution or the subsidiary under this subsection affects the amount of return from the assets.''.

(2) FDIC.—Section 40(m)(4) of the Federal Deposit Insurance Act (12 U.S.C. 1831q(m)(4)) is amended to read as follows:

''(4) CORPORATION.—The Corporation shall not be liable to any depositor, creditor, or shareholder of any insured depository institution for which the Corporation has been appointed receiver or conservator, or of any subsidiary corporation of a depository institution under receivership or conservatorship, or any claimant against such institution or subsidiary, because the disposition of assets of the institution or the subsidiary under this section affects the amount of return from the assets.''.

SEC. 15. RIGHT OF FIRST REFUSAL FOR TENANTS TO PURCHASE SINGLE FAMILY PROPERTY.

(a) RTC.—Section 21A(b) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)) is amended by adding after paragraph (14) (as added by section (4) of this Act) the following new paragraph:

''(15) PURCHASE RIGHTS OF TENANTS.—

''(A) NOTICE.—Except as provided in subparagraph (C), the Corporation may make available for sale a 1- to 4-family residence (including a manufactured home) to which the Corporation acquires title only after the Corporation has provided the household residing in the property notice (in writing and mailed to the property) of the availability of such property and the preference afforded such household under subparagraph (B).

''(B) PREFERENCE.—In selling such a property, the Corporation shall give preference to any bona fide offer made by the household residing in the property, if—

''(i) such offer is substantially similar in amount to other offers made within such period (or expected by the Corporation to be made within such period);

''(ii) such offer is made during the period beginning upon the Corporation making such property available and of a reasonable duration, as determined by the Corporation based

on the normal period for sale of such properties; and

''(iii) the household making the offer complies with any other requirements applicable to purchasers of such property, including any downpayment and credit requirements.

''(C) EXCEPTIONS.—Subparagraphs (A) and (B) shall not apply to—

''(i) any residence transferred in connection with the transfer of substantially all of the assets of an insured depository institution for which the Corporation has been appointed conservator or receiver;

''(ii) any eligible single family property (as such term is defined in subsection (c)(9)); or

''(iii) any residence for which the household occupying the residence was the mortgagor under a mortgage on such residence and to which the Corporation acquired title pursuant to default on such mortgage.''.

(b) FDIC.—Section 11 of the Federal Deposit Insurance Act (12 U.S.C. 1821) is amended by adding at the end the following new subsection:

''(u) PURCHASE RIGHTS OF TENANTS.—

''(1) NOTICE.—Except as provided in paragraph (3), the Corporation may make available for sale a 1- to 4-family residence (including a manufactured home) to which the Corporation acquires title only after the Corporation has provided the household residing in the property notice (in writing and mailed to the property) of the availability of such property and the preference afforded such household under paragraph (2).

''(2) PREFERENCE.—In selling such a property, the Corporation shall give preference to any bona fide offer made by the household residing in the property, if—

''(A) such offer is substantially similar in amount to other offers made within such period (or expected by the Corporation to be made within such period);

''(B) such offer is made during the period beginning upon the Corporation making such property available and of a reasonable duration, as determined by the Corporation based on the normal period for sale of such properties; and

''(C) the household making the offer complies with any other requirements applicable to purchasers of such property, including any downpayment and credit requirements.

''(3) EXCEPTIONS.—Paragraphs (1) and (2) shall not apply to—

''(A) any residence transferred in connection with the transfer of substantially all of the assets of an insured depository institution for which the Corporation has been appointed conservator or receiver;

''(B) any eligible single family property (as such term is defined in subsection (c)(9)); or

''(C) any residence for which the household occupying the residence was the mortgagor under a mortgage on such residence and to which the Corporation acquired title pursuant to default on such mortgage.''.

SEC. 16. PREFERENCE FOR SALES OF REAL PROPERTY FOR USE FOR HOMELESS FAMILIES.

(a) RTC.—Section 21A(b) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)) is amended by adding after paragraph (15) (as added by section 15(a) of this Act) the following new paragraph:

''(16) PREFERENCE FOR SALES FOR HOMELESS FAMILIES.—Subject to paragraph (15), in selling any real property (other than eligible residential property and eligible condominium property, as such terms are defined in subsection (c)(9)) to which the Corporation acquires title, the Corporation shall give preference, among offers to purchase the property that will result in the same net present value proceeds, to any offer that would provide for the property to be used, during the remaining useful life of the property, to provide housing or shelter for homeless persons (as such term is defined in section 103 of the Stewart B. McKinney Homeless Assistance Act) or homeless families.''.

(b) FDIC.—Section 11 of the Federal Deposit Insurance Act (12 U.S.C. 1821) is amended by adding after subsection (u) (as added by section 15(b) of this Act) the following new subsection:

''(v) PREFERENCE FOR SALES FOR HOMELESS FAMILIES.—Subject to subsection (u), in selling any real property (other than eligible residential property and eligible condominium property, as such terms are defined in section 40(p)) to which the Corporation acquires title, the Corporation shall give preference among offers to purchase the property that will result in the same net present value proceeds, to any offer that would provide for the property to be used, during the remaining useful life of the property, to provide housing or shelter for homeless persons (as such term is defined in section 103 of the Stewart B. McKinney Homeless Assistance Act) or homeless families.''.

SEC. 17. PREFERENCES FOR SALES OF COMMERCIAL PROPERTIES TO PUBLIC AGENCIES AND NONPROFIT ORGANIZATIONS FOR USE IN CARRYING OUT PROGRAMS FOR AFFORDABLE HOUSING.

(a) RTC.—Section 21A(b) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)) is amended by adding after paragraph (16) (as added by section 16(a) of this Act) the following new paragraph:

''(17) PREFERENCES FOR SALES OF CERTAIN COMMERCIAL REAL PROPERTIES.—

''(A) AUTHORITY.—In selling any eligible commercial real properties of the Corporation, the Corporation shall give preference, among offers to purchase the property that will result in the same net present value proceeds, to any offer—

''(i) that is made by a public agency or nonprofit organization; and

''(ii) under which the purchaser agrees that the property shall be used, during the remaining useful life of the property, for offices and administrative purposes of the purchaser to carry out a program to acquire residential properties to provide (I) homeownership and rental housing opportunities for very-low-, low-, and moderate-income families, or (II) housing or shelter for homeless persons (as such term is defined in section 103 of the Stewart B. McKinney Homeless Assistance Act) or homeless families.

''(B) DEFINITIONS.—For purposes of this paragraph, the following definitions shall apply:

''(i) ELIGIBLE COMMERCIAL REAL PROPERTY.—The term 'eligible commercial real property' means any property (I) to which the Corporation acquires title, and (II) that the Corporation, in the discretion of the Corporation, determines is suitable for use for the location of offices or other administrative functions involved with carrying out a program referred to in subparagraph (A)(ii).

''(ii) NONPROFIT ORGANIZATION AND PUBLIC AGENCY.—The terms 'nonprofit organization' and 'public agency' have the same meanings as in subsection (c)(9).''.

(b) FDIC.—Section 11 of the Federal Deposit Insurance Act (12 U.S.C. 1821) is amended by adding after subsection (v) (as added by section 16(b) of this Act) the following new subsection:

''(w) PREFERENCES FOR SALES OF CERTAIN COMMERCIAL REAL PROPERTIES.—

''(1) AUTHORITY.—In selling any eligible commercial real properties of the Corporation, the Corporation shall give preference, among offers to purchase the property that will result in the same net present value proceeds, to any offer—

''(A) that is made by a public agency or nonprofit organization; and

''(B) under which the purchaser agrees that the property shall be used, during the remaining useful life of the property, for offices and administrative purposes of the purchaser to carry out a program to acquire residential properties to provide (i) homeownership and rental housing opportunities for very-low-, low-, and moderate-income families, or (ii) housing or shelter for homeless persons (as such term is defined in section 103 of the Stewart B. McKinney Homeless Assistance Act) or homeless families.

''(2) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

''(A) ELIGIBLE COMMERCIAL REAL PROPERTY.—The term 'eligible commercial real property' means any property (i) to which the Corporation acquires title, and (ii) that the Corporation, in the discretion of the Corporation, determines is suitable for use for the location of offices or other administrative functions involved with carrying out a program referred to in paragraph (1)(B).

''(B) NONPROFIT ORGANIZATION AND PUBLIC AGENCY.—The terms 'nonprofit organization' and 'public agency' have the same meanings as in section 40(p).''.

SEC. 18. FEDERAL HOME LOAN BANKS HOUSING OPPORTUNITY HOTLINE PROGRAM.

The Federal Home Loan Bank Act (12 U.S.C. 1422 et seq.) is amended by inserting after section 26 the following new section:

''SEC. 27. HOUSING OPPORTUNITY HOTLINE PROGRAM.

''(a) ESTABLISHMENT.—The Federal Home Loan Banks shall, individually or (at the discretion of the Federal Housing Finance Board) on a consolidated basis, establish and provide a service substantially similar (in the determination of the Board) to the 'Housing Opportunity Hotline' program established in October 1992, by the Federal Home Loan Bank of Dallas.

''(b) PURPOSE.—The service or services established under this section shall provide information regarding the availability for purchase of single family properties that are owned or held by Federal agencies and are located in the Federal Home Loan Bank district for such Bank. Such agencies shall provide to the Federal Home Loan Banks the information necessary to provide such service or services.

''(c) REQUIRED INFORMATION.—The service or services established under this section shall use the information obtained from Federal agencies to provide information regarding the size, location, price, and other characteristics of such single family properties, the eligibility requirements for purchasers of such properties, the terms for such sales, and the terms of any available seller financing, and shall identify properties that are affordable to low- and moderate-income families.

''(d) TOLL-FREE TELEPHONE NUMBER.—The service or services established under this section shall establish and maintain a toll-free telephone line for providing the information made available under the service or services.

''(e) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) FEDERAL AGENCIES.—The term 'Federal agencies' means—

''(A) the Farmers Home Administration, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the General Services Administration, the Department of Housing and Urban Development, and the Department of Veterans Affairs;

''(B) the Resolution Trust Corporation, subject to the discretion of such Corporation; and

''(C) the Federal Deposit Insurance Corporation, subject to the discretion of such Corporation.

''(2) SINGLE FAMILY PROPERTY.—The term 'single family property' means a 1- to 4-family residence, including a manufactured home.''.

SEC. 19. CONFLICT OF INTEREST PROVISIONS APPLICABLE TO THE FDIC.

(a) IN GENERAL.—Section 12 of the Federal Deposit Insurance Act (12 U.S.C. 1822) is amended by adding at the end the following new subsection:

''(f) CONFLICT OF INTEREST.—

''(1) APPLICABILITY OF OTHER PROVISIONS.—

''(A) CLARIFICATION OF STATUS OF CORPORATION.—The Corporation is, and has been since its creation, an agency for purposes of title 18, United States Code.

''(B) TREATMENT OF CONTRACTORS.—Any individual who, pursuant to a contract or any other arrangement, performs functions or activities of the Corporation, under the direct supervision of an officer or employee of the Corporation, shall be deemed to be an employee of the Corporation for purposes of title 18, United States Code and this Act. Any individual who, pursuant to a contract or any other agreement, acts for or on behalf of the Corporation, and who is not otherwise treated as an officer or employee of the United States for purposes of title 18, United States Code, shall be deemed to be a public official for purposes of section 201 of title 18, United States Code.

''(2) REGULATIONS CONCERNING EMPLOYEE CONDUCT.—The officers and employees of the Corporation and those individuals under contract to the Corporation who are deemed, under paragraph (1)(B), to be employees of the Corporation for purposes of title 18, United States Code, shall be subject to the ethics and conflict of interest rules and regulations issued by the Office of Government Ethics, including those concerning employee conduct, financial disclosure, and post-employment activities. The Board of Directors may prescribe regulations that supplement such rules and regulations only with the concurrence of that Office.

''(3) REGULATIONS CONCERNING INDEPENDENT CONTRACTORS.—The Board of Directors, with the concurrence of the Office of Government Ethics, shall prescribe regulations applicable to those independent contractors who are not deemed, under paragraph (1)(B), to be employees of the Corporation for purposes of title 18, United States Code, governing conflicts of interest, ethical responsibilities, and the use of confidential information consistent with the goals and purposes of titles 18 and 41, United States Code. Any such regulations shall be in addition to, and not in lieu of, any other statute or regulation which may apply to the conduct of such independent contractors.

''(4) DISAPPROVAL OF CONTRACTORS.—

''(A) IN GENERAL.—The Board of Directors shall prescribe regulations establishing procedures for ensuring that any individual who is performing, directly or indirectly, any function or service on behalf of the Corporation meets minimum standards of competence, experience, integrity, and fitness.

''(B) PROHIBITION FROM SERVICE ON BEHALF OF CORPORATION.—The procedures established under subparagraph (A) shall provide that the Corporation shall prohibit any person who does not meet the minimum standards of competence, experience, integrity, and fitness from—

''(i) entering into any contract with the Corporation; or

''(ii) becoming employed by the Corporation or otherwise performing any service for or on behalf of the Corporation.

''(C) INFORMATION REQUIRED TO BE SUBMITTED.—The procedures established under subparagraph (A) shall require that any offer submitted to the Corporation by any person under this section and any employment application submitted to the Corporation by any person shall include—

''(i) a list and description of any instance during the 5 years preceding the submission of such application in which the person or a company under such person's control defaulted on a material obligation to an insured depository institution; and

''(ii) such other information as the Board may prescribe by regulation.

''(D) SUBSEQUENT SUBMISSIONS.—

''(i) IN GENERAL.—No offer submitted to the Corporation may be accepted unless the offeror agrees that no person will be employed, directly or indirectly, by the offeror under any contract with the Corporation unless—

''(I) all applicable information described in subparagraph (C) with respect to any such person is submitted to the Corporation; and

''(II) the Corporation does not disapprove of the direct or indirect employment of such person.

''(ii) FINALITY OF DETERMINATION.—Any determination made by the Corporation pursuant to this paragraph shall be in the Corporation's sole discretion and shall not be subject to review.

''(E) PROHIBITION REQUIRED IN CERTAIN CASES.—The standards established under subparagraph (A) shall require the Corporation to prohibit any person who has—

''(i) been convicted of any felony;

''(ii) been removed from, or prohibited from participating in the affairs of, any insured depository institution pursuant to any final enforcement action by any appropriate Federal banking agency;

''(iii) demonstrated a pattern or practice of defalcation regarding obligations to insured depository institutions; or

''(iv) caused a substantial loss to Federal deposit insurance funds;

from performing any service on behalf of the Corporation.

''(5) ABROGATION OF CONTRACTS.—The Corporation may rescind any contract with a person who—

''(A) fails to disclose a material fact to the Corporation;

''(B) would be prohibited under paragraph (6) from providing services to, receiving fees from, or contracting with the Corporation; or

''(C) has been subject to a final enforcement action by any Federal banking agency.

''(6) PRIORITY OF FDIC RULES.—To the extent that the regulations under this subsection conflict with rules of other agencies or Government corporations, officers, directors, employees, and independent contractors of the Corporation who are also subject to the conflict of interest or ethical rules of another agency or Government corporation, shall be governed by the regulations prescribed by the Board of Directors under this subsection when acting for or on behalf of the Corporation. Notwithstanding the preceding sentence, the rules of the Corporation shall not take priority over the ethics and conflict of interest rules and regulations promulgated by the Office of Government Ethics unless specifically authorized by that Office.''.

(b) AMENDMENTS TO DEFINITIONS.—

(1) FEDERAL BANKING AGENCY.—Section 3(z) of the Federal Deposit Insurance Act (12 U.S.C. 1813(z)) is amended to read as follows:

''(z) FEDERAL BANKING AGENCY.—The term 'Federal banking agency' means the Comptroller of the Currency, the Director of the Office of Thrift Supervision, the Board of Governors of the Federal Reserve System, or the Federal Deposit Insurance Corporation.''.

(2) COMPANY.—Section 3(w) of the Federal Deposit Insurance Act (12 U.S.C. 1813(w)) is amended by adding at the end the following new paragraph:

''(7) COMPANY.—The term 'company' has the same meaning as in section 2(b) of the Bank Holding Company Act of 1956.''.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply after the end of the 6-month period beginning on the date of enactment of this Act.

SEC. 20. RESTRICTIONS ON SALES OF ASSETS TO CERTAIN PERSONS.

(a) IN GENERAL.—Section 11(p) of the Federal Deposit Insurance Act (12 U.S.C. 1821(p)) is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3); and

(2) by inserting before paragraph (2), as redesignated, the following new paragraph:

''(1) PERSONS WHO ENGAGED IN IMPROPER CONDUCT WITH, OR CAUSED LOSSES TO, DEPOSITORY INSTITUTIONS.—The Corporation shall prescribe regulations which, at a minimum, shall prohibit the sale of assets of a failed institution by the Corporation to—

''(A) any person who—

''(i) has defaulted, or was a member of a partnership or an officer or director of a corporation that has defaulted, on 1 or more obligations the aggregate amount of which exceed $1,000,000, to such failed institution;

''(ii) has been found to have engaged in fraudulent activity in connection with any obligation referred to in clause (i); and

''(iii) proposes to purchase any such asset in whole or in part through the use of the proceeds of a loan or advance of credit from the Corporation or from any institution for which the Corporation has been appointed as conservator or receiver;

''(B) any person who participated, as an officer or director of such failed institution or of any affiliate of such institution, in a material way in transactions that resulted in a substantial loss to such failed institution;

''(C) any person who has been removed from, or prohibited from participating in the affairs of, such failed institution pursuant to any final enforcement action by an appropriate Federal banking agency; or

''(D) any person who has demonstrated a pattern or practice of defalcation regarding obligations to such failed institution.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 11(p) of the Federal Deposit Insurance Act (12 U.S.C. 1821(p)) is amended—

(1) in paragraph (2) (as redesignated by subsection (a))—

(A) by striking ''individual'' and inserting ''person''; and

(B) by striking ''paragraph (2)'' and inserting ''paragraph (3)'';

(2) in paragraph (3) (as redesignated by subsection (a))—

(A) by striking ''individual'' each place such term appears and inserting ''person''; and

(B) by striking ''Paragraph (1)'' and inserting ''Paragraphs (1) and (2)'';

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

''(4) DEFINITION OF DEFAULT.—For purposes of this subsection, the term 'default' means a failure to comply with the terms of a loan or other obligation to such an extent that the property securing the obligation is foreclosed upon.''; and

(4) by striking the heading and inserting the following new heading:

''(p) CERTAIN SALES OF ASSETS PROHIBITED.—''.

SEC. 21. WHISTLE BLOWER PROTECTION.

(a) AMENDMENTS TO THE FEDERAL DEPOSIT INSURANCE ACT.—Section 33(a) of the Federal Deposit Insurance Act (12 U.S.C. 1831j(a)) is amended—

(1) in paragraph (1)—

(A) by striking ''regarding'' and all that follows through the end of the sentence and inserting the following: ''regarding—

''(A) a possible violation of any law or regulation; or

''(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

by the depository institution or any director, officer, or employee of the institution.''; and

(B) by adding at the end the following:

''(f) BURDENS OF PROOF.—The legal burdens of proof that prevail under subchapter III of chapter 12 of title 5, United States Code, shall govern adjudication of protected activities under this section.''; and

(2) in paragraph (2)—

(A) by striking ''or Federal Reserve bank'' and inserting ''Federal reserve bank, or any person who is performing, directly or indirectly, any function or service on behalf of the Corporation'';

(B) by striking ''any possible violation of any law or regulation by'' and inserting ''any possible violation of any law or regulation, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety by'';

(C) in subparagraph (B), by striking ''or'' at the end;

(D) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(E) by adding at the end the following new subparagraph:

''(D) the person, or any officer or employee of the person, who employs such employee.''.

(b) AMENDMENTS TO THE FEDERAL HOME LOAN BANK ACT.—Section 21A(q) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(q)) is amended—

(1) in paragraph (1), by striking ''regarding'' and all that follows through the end of the sentence and inserting the following: ''regarding—

''(A) a possible violation of any law or regulation; or

''(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

by the Corporation, the Thrift Depositor Protection Oversight Board, or such person or any director, officer, or employee of the Corporation, the Thrift Depositor Protection Oversight Board, or the person.''; and

(2) by inserting after paragraph (4) the following:

''(5) BURDENS OF PROOF.—The legal burdens of proof that prevail under subchapter III of chapter 12 of title 5, United States Code, shall govern adjudication of protected activities under this subsection.''.

SEC. 22. FDIC ASSET DISPOSITION DIVISION.

(a) IN GENERAL.—Section 1 of the Federal Deposit Insurance Act (12 U.S.C. 1811) is amended—

(1) by striking ''SEC. 1. There is hereby created'' and inserting the following:

''SECTION 1. FEDERAL DEPOSIT INSURANCE CORPORATION.

''(a) ESTABLISHMENT OF CORPORATION.—There is hereby established''; and

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

''(b) ASSET DISPOSITION DIVISION.—

''(1) ESTABLISHMENT.—The Corporation shall have a separate division of asset disposition.

''(2) MANAGEMENT.—The division of asset disposition shall have an administrator who shall be appointed by the Board of Directors.

''(3) RESPONSIBILITIES OF DIVISION.—The division of asset disposition shall carry out all of the responsibilities of the Corporation under this Act relating to the liquidation of insured depository institutions and the disposition of assets of such institutions.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall become effective on July 1, 1995.

SEC. 23. PRESIDENTIALLY APPOINTED INSPECTOR GENERAL FOR FDIC.

(a) AMENDMENTS TO THE INSPECTOR GENERAL ACT OF 1978.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 11—

(A) in paragraph (1), by striking ''the chief executive officer of the Resolution Trust Corporation;'' and inserting ''the chief executive officer of the Resolution Trust Corporation; and the Chairperson of the Federal Deposit Insurance Corporation;''; and

(B) in paragraph (2), by inserting ''the Federal Deposit Insurance Corporation,'' after ''Resolution Trust Corporation,'';

(2) by inserting after section 8B the following new section:

''SEC. 8C. SPECIAL PROVISIONS CONCERNING THE FEDERAL DEPOSIT INSURANCE CORPORATION.

''(a) DELEGATION.—The Chairperson of the Federal Deposit Insurance Corporation may delegate the authority specified in the second sentence of section 3(a) to the Vice Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation, but may not delegate such authority to any other officer or employee of the Corporation.

''(b) PERSONNEL.—Notwithstanding paragraphs (7) and (8) of section 6(a), the Inspector General of the Federal Deposit Insurance Corporation may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General and to obtain the temporary or intermittent services of experts or consultants or an organization of experts or consultants, subject to the applicable laws and regulations that govern such selections, appointments, and employment, and the obtaining of such services, within the Federal Deposit Insurance Corporation.'';

(3) by redesignating sections 8C through 8F as sections 8D through 8G, respectively; and

(4) in section 8F(a)(2), as redesignated, by striking ''the Federal Deposit Insurance Corporation,''.

(b) POSITION AT LEVEL IV OF THE EXECUTIVE SCHEDULE.—Section 5315 of title 5, United States Code, is amended by inserting after ''Inspector General, Small Business Administration.'' the following:

''Inspector General, Federal Deposit Insurance Corporation.''.

(c) TRANSITION PERIOD.—

(1) CURRENT SERVICE.—Except as otherwise provided by law, the individual serving as the Inspector General of the Federal Deposit Insurance Corporation before the date of enactment of this Act may continue to serve in such position until the earlier of—

(A) the date on which the President appoints a successor under section 3(a) of the Inspector General Act of 1978; or

(B) the date which is 6 months after the date of enactment of this Act.

(2) DEFINITION.—For purposes of paragraph (1), the term ''successor'' may include the individual holding the position of Inspector General of the Federal Deposit Insurance Corporation on or after the date of enactment of this Act.

SEC. 24. DEPUTY CHIEF EXECUTIVE OFFICER.

Section 21A(b)(8) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)(8)) is amended by adding at the end the following new subparagraphs:

''(E) DEPUTY CHIEF EXECUTIVE OFFICER.—

''(i) IN GENERAL.—There is hereby established the position of deputy chief executive officer of the Corporation.

''(ii) APPOINTMENT.—The deputy chief executive officer of the Corporation shall—

''(I) be appointed by the Chairperson of the Thrift Depositor Protection Oversight Board, with the recommendation of the chief executive officer; and

''(II) be an employee of the Federal Deposit Insurance Corporation in accordance with subparagraph (B)(i).

''(iii) DUTIES.—The deputy chief executive officer shall perform such duties as the chief executive officer may require.

''(F) ACTING CHIEF EXECUTIVE OFFICER.—In the event of a vacancy in the position of chief executive officer or during the absence or disability of the chief executive officer, the deputy chief executive officer shall perform the duties of the position as the acting chief executive officer.''.

SEC. 25. DUE PROCESS PROTECTIONS RELATING TO ATTACHMENT OF ASSETS.

Section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) is amended—

(1) by striking subsection (i)(4)(B) and inserting the following new subparagraph:

''(B) STANDARD.—

''(i) SHOWING.—Rule 65 of the Federal Rules of Civil Procedure shall apply with respect to any proceeding under subparagraph (A) without regard to the requirement of such rule that the applicant show that the injury, loss, or damage is irreparable and immediate.

''(ii) STATE PROCEEDING.—If, in the case of any proceeding in a State court, the court determines that rules of civil procedure available under the laws of such State provide substantially similar protections to a party's right to due process as Rule 65 (as modified with respect to such proceeding by clause (i)), the relief sought under subparagraph (A) may be requested under the laws of such State.''; and

(2) in subsection (b), by adding at the end the following new paragraph:

''(10) STANDARD FOR CERTAIN ORDERS.—No authority under this subsection or subsection (c) to prohibit any institution-affiliated party from withdrawing, transferring, removing, dissipating, or disposing of any funds, assets, or other property may be exercised unless the appropriate Federal banking agency meets the standards of Rule 65 of the Federal Rules of Civil Procedure, without regard to the requirement of such rule that the applicant show that the injury, loss, or damage is irreparable and immediate.''.

SEC. 26. GAO STUDIES REGARDING FEDERAL REAL PROPERTY DISPOSITION.

(a) RTC AFFORDABLE HOUSING PROGRAM.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study of the program carried out by the Resolution Trust Corporation pursuant to section 21A(c) of the Federal Home Loan Bank Act to determine the effectiveness of such program in providing affordable homeownership and rental housing for very low-, low-, and moderate-income families. The study shall examine the procedures used under the program to sell eligible single family properties, eligible condominium properties, and eligible multifamily housing properties, the characteristics and numbers of purchasers of such properties, and the amount of and reasons for any losses incurred by the Resolution Trust Corporation in selling properties under the program.

(2) REPORT.—Not later than 6 months after the date of enactment of this Act, the Comptroller General shall submit a report to the Congress on the results of the study required under paragraph (1), which shall describe any findings under the study and contain any recommendations of the Comptroller General for improving the effectiveness of such program.

(b) SINGLE AGENCY FOR REAL PROPERTY DISPOSITION.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study to determine the feasibility and effectiveness of establishing a single Federal agency responsible for selling and otherwise disposing of real property owned or held by the Department of Housing and Urban Development, the Farmers Home Administration of the Department of Agriculture, the Federal Deposit Insurance Corporation, and the Resolution Trust Corporation. The study shall examine the real property disposition procedures of

such agencies and corporations, analyze the feasibility of consolidating such procedures through such single agency, and determine the characteristics and authority necessary for any such single agency to efficiently carry out such disposition activities.

(2) REPORT.—Not later than 12 months after the date of enactment of this Act, the Comptroller General shall submit a report to the Congress on the study required under paragraph (1), which shall describe any findings under the study and contain any recommendations of the Comptroller General for the establishment of such single agency.

SEC. 27. EXTENSION OF RTC POWER TO BE APPOINTED AS CONSERVATOR OR RECEIVER.

(a) EXTENSION OF DUTY TO BE APPOINTED AS CONSERVATOR OR RECEIVER.—Section 21A(b) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)) is amended—

(1) in paragraph (3)(A)(ii), by striking ''October 1, 1993'' and inserting ''such date as is determined by the Chairperson of the Thrift Depositor Protection Oversight Board, but not earlier than January 1, 1995, and not later than July 1, 1995''; and

(2) in paragraph (6), by striking ''October 1, 1993'' each place such term appears and inserting ''such date as is determined by the Chairperson of the Thrift Depositor Protection Oversight Board under paragraph (3)(A)(ii)''.

(b) APPOINTMENT OF A RECEIVER BY THE DIRECTOR OF THE OFFICE OF THRIFT SUPERVISION.—Section 11(c)(6)(B) of the Federal Deposit Insurance Act (12 U.S.C. 1821(c)(6)(B)) is amended—

(1) in clause (i), by striking ''October 1, 1993'' and inserting ''such date as is determined by the Chairperson of the Thrift Depositor Protection Oversight Board under section 21A(b)(3)(A)(ii) of the Federal Home Loan Bank Act'';

(2) in clauses (ii) and (iii), by striking ''after September 30, 1993'' each place such term appears and inserting ''on or after the date determined by the Chairperson of the Thrift Depositor Protection Oversight Board under section 21A(b)(3)(A)(ii) of the Federal Home Loan Bank Act''; and

(3) in clause (ii), by striking ''on or before'' and inserting ''before''.

SEC. 28. FINAL REPORTS ON RTC AND SAIF FUNDING.

(a) IN GENERAL.—

(1) RTC REPORT.—The Chairperson of the Thrift Depositor Protection Oversight Board shall prepare and submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance and Urban Affairs of the House of Representatives, a final report containing a detailed description of the purposes for which the funds made available to the Resolution Trust Corporation under this Act were used.

(2) SAIF REPORT.—The Chairperson of the Federal Deposit Insurance Corporation shall prepare and submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance and Urban Affairs of the House of Representatives a final report containing a detailed description of the purposes for which the funds made available to the Savings Association Insurance Fund under this Act were used.

(b) TIME FOR SUBMISSION.—The reports described in subsection (a) shall be transmitted—

(1) not later than 45 days after the final expenditure of funds provided for under this Act by the Resolution Trust Corporation; and

(2) not later than 45 days after the final expenditure of funds authorized to be provided under this Act by the Savings Association Insurance Fund.

SEC. 29. GENERAL COUNSEL OF THE RESOLUTION TRUST CORPORATION.

Section 21A(b)(8) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)(8)) is amended by adding after subparagraph (F) (as added by section 24 of this Act) the following new subparagraph:

''(G) GENERAL COUNSEL.—There is established the Office of General Counsel of the Corporation. The chief executive officer, with the concurrence of the Chairperson of the Thrift Depositor Protection Oversight Board, may appoint the general counsel, who shall be an employee of the Federal Deposit Insurance Corporation, in accordance with subparagraph (B)(i). The general counsel shall perform such duties as the chief executive officer may require.''.

SEC. 30. AUTHORITY TO EXECUTE CONTRACTS.

Section 21A of the Federal Home Loan Bank Act (12 U.S.C. 1441a) is amended by adding after subsection (x) (as added by section 5 of this Act) the following new subsection:

''(y) AUTHORITY TO EXECUTE CONTRACTS.—

''(1) AUTHORIZED PERSONS.—A person may execute a contract on behalf of the Corporation for the provision of goods or services only if—

''(A) that person—

''(i) is a warranted contracting officer appointed by the Corporation, or is a managing agent of a savings association under the conservatorship of the Corporation; and

''(ii) provides appropriate certification or other identification, as required by the Corporation in accordance with paragraph (2);

''(B) the notice described in paragraph (4) is included in the written contract; and

''(C) that person has appropriate authority to execute the contract on behalf of the Corporation in accordance with the notice published by the Corporation in accordance with paragraph (5).

''(2) PRESENTATION OF IDENTIFICATION.—Prior to executing any contract described in paragraph (1) with any person, a warranted contracting officer or managing agent shall present to that person—

''(A) a valid certificate of appointment (or such other identification as may be required by the Corporation) that is signed by the appropriate officer of the Corporation; or

''(B) a copy of such certificate, authenticated by the Corporation.

''(3) TREATMENT OF UNAUTHORIZED CONTRACTS.—A contract described in paragraph (1) that fails to meet the requirements of this section—

''(A) shall be null and void; and

''(B) shall not be enforced against the Corporation or its agents by any court.

''(4) INCLUSION OF NOTICE IN CONTRACT TERMS.—Each written contract described in paragraph (1) shall contain a clear and conspicuous statement (in boldface type) in immediate proximity to the space reserved for the signatures of the contracting parties as follows:

'''Only warranted contracting officers appointed by the Resolution Trust Corporation or managing agents of associations under the conservatorship of the Resolution Trust Corporation have the authority to execute contracts on behalf of the Resolution Trust Corporation. Such persons have certain limits on their contracting authority. The nature and extent of their contracting authority levels are published in the Federal Register.

'''A warranted contracting officer or a managing agent must present identification in the form of a signed certificate of appointment (or an authenticated copy of such certificate) or other identification, as required by the Corporation, prior to executing any contract on behalf of the Resolution Trust Corporation.

'''Any contract that is not executed by a warranted contracting officer or the managing agent of a savings association under the conservatorship of the Resolution Trust Corporation, acting in conformity with his or her contracting authority, shall be null and void, and will not be enforceable by any court.'.

''(5) NOTICE OF REQUIREMENTS.—Not later than 30 days after the date of enactment of this subsection, the Corporation shall publish notice in the Federal Register of—

''(A) the requirements for appointment by the Corporation as a warranted contracting officer; and

''(B) the nature and extent of the contracting authority to be exercised by any warranted contracting officer or managing agent.

''(6) EXCEPTION.—This section does not apply to—

''(A) any contract between the Corporation and any other person governing the purchase or assumption by that person of—

''(i) the ownership of a savings association under the conservatorship of the Corporation; or

''(ii) the assets or liabilities of a savings association under the conservatorship or receivership of the Corporation; or

''(B) any contract executed by the Inspector General of the Corporation (or any designee thereof) for the provision of goods or services to the Office of the Inspector General of the Corporation.

''(7) EXECUTION OF CONTRACTS.—For purposes of this subsection, the execution of a contract includes all modifications to such contract.

''(8) EFFECTIVE DATE.—The requirements of this subsection shall apply to all contracts described in paragraph (1) executed on or after the date which is 45 days after the date of enactment of this subsection.''.

SEC. 31. RTC CONTRACTING.

Section 21A of the Federal Home Loan Bank Act (12 U.S.C. 1441a) is amended by adding after subsection (y) (as added by section 30 of this Act) the following new subsection:

''(z) ADDITIONAL CONTRACTING REQUIREMENTS.—

''(1) IN GENERAL.—No person shall execute, on behalf of the Corporation, any contract, or modification to a contract, for goods or services exceeding $100,000 in value unless the person executing the contract or modification states in writing that—

''(A) the contract or modification is for a fixed price, the person has received a written cost estimate for the contract or modification, or a cost estimate cannot be obtained as a practical matter with an explanation of why such a cost estimate cannot be obtained as a practical matter;

''(B) the person has received the written statement described in paragraph (2); and

''(C) the person is satisfied that the contract or modification to be executed has been approved by a person legally authorized to do so pursuant to a written delegation of authority.

''(2) WRITTEN DELEGATION OF AUTHORITY.—A person who authorizes a contract, or a modification to a contract, involving the Corporation for goods or services exceeding $100,000 in value shall state, in writing, that he or she has been delegated the authority, pursuant to a written delegation of authority, to authorize that contract or modification.

''(3) EFFECT OF FAILURE TO COMPLY.—The failure of any person executing a contract, or a modification of a contract, on behalf of the Corporation, or authorizing such a contract or modification of a contract, to comply with the requirements of this subsection shall not void, or serve as grounds to void or rescind, any otherwise properly executed contract.''.

SEC. 32. DEFINITION OF PROPERTY.

(a) Section 9102(e) of the Department of Defense Appropriations Act, 1990 (16 U.S.C. 396f note) is amended by striking ''real, personal,'' and inserting ''real, personal (including intangible assets sold or offered by the Federal Deposit Insurance Corporation or the Resolution Trust Corporation, such as financial instruments, notes, loans, and bonds),''.

(b) Section 12(b)(7)(vii) of Public Law 94–204 (43 U.S.C. 1611 note) is amended by striking ''real, personal,'' and inserting ''real, personal (including intangible assets sold or offered by the Federal Deposit Insurance Corporation or the Resolution Trust Corporation, such as financial instruments, notes, loans, and bonds),''.

SEC. 33. SENSE OF THE CONGRESS RELATING TO PARTICIPATION OF DISABLED AMERICANS IN CONTRACTING FOR DELIVERY OF SERVICES TO FINANCIAL INSTITUTION REGULATORY AGENCIES.

(a) FINDINGS.—The Congress finds that Congress, in adopting the Americans with Disabilities Act of 1990, specifically found that—

(1) some 43,000,000 Americans have one or more physical or mental disabilities, and this number is increasing;

(2) discrimination against individuals with disabilities persists in such critical areas as employment, housing, public accommodations, education, transportation, communication, recreation, institutionalization, health services, voting, and access to public services;

(3) individuals with disabilities continually encounter various forms of discrimination, including outright intentional exclusion, the discriminatory effects of architectural, transportation, and communication barriers, overprotective rules and policies, failure to make modifications to existing facilities and practices, exclusionary qualification standards and criteria, segregation, and relegation to lesser services, programs, activities, benefits, jobs, or other opportunities;

(4) census data, national polls, and other studies have documented that people with disabilities, as a group, occupy an inferior status in our society, and are severely disadvantaged socially, vocationally, economically, and educationally;

(5) individuals with disabilities are a discrete and insular minority who have been faced with restrictions and limitations, subjected to a history of purposeful unequal treatment, and relegated to a position of political powerlessness in our society, based on characteristics that are beyond the control of such individuals and resulting from stereotypic assumptions not truly indicative of the individual ability of such individuals to participate in, and contribute to, society;

(6) the Nation's proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals; and

(7) the continuing existence of unfair and unnecessary discrimination and prejudice denies people with disabilities the opportunity to compete on an equal basis and to pursue those opportunities for which our free society is justifiably famous, and costs the United States billions of dollars in unnecessary expenses resulting from dependency and nonproductivity.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that the chief executive officer of the Resolution Trust Corporation, the Director of the Office of Thrift Supervision, the Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation, the Comptroller of the Currency, and the Chairperson of the Federal Housing Finance Board should take all necessary steps within each such agency to ensure that individuals with disabilities and entities owned by individuals with disabilities, including financial institutions, investment banking firms, underwriters, asset managers, accountants, and providers of legal services, are availed of all opportunities to compete in a manner which, at a minimum, does not discriminate on the basis of their disability for contracts entered into by the agency to manage the institutions and their assets for which the agency is responsible or to perform such other functions authorized under any law applicable to such agency.

SEC. 34. REPORT TO CONGRESS BY SPECIAL COUNSEL.

(a) REPORT.—Not later than 90 days after the date of enactment of this Act, the Special Counsel appointed under section 2537 of the Crime Control Act of 1990 (28 U.S.C. 509 note) shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance and Urban Affairs of the House of Representatives a report on the status of its efforts to monitor and improve the collection of fines and restitution in cases involving fraud and other criminal activity in and against the financial services industry.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) information on the amount of fines and restitution assessed in cases involving fraud and other criminal activity in and against the financial services industry, the amount of such fines and restitution collected, and an explanation of any difference in those amounts;

(2) an explanation of the procedures for collecting and monitoring restitution assessed in cases involving fraud and other criminal activity in and against the financial services industry and any suggested improvements to such procedures;

(3) an explanation of the availability under any provision of law of punitive measures if restitution and fines assessed in such cases are not paid;

(4) information concerning the efforts by the Department of Justice to comply with guidelines for fine and restitution collection and reporting procedures developed by the interagency group established by the Attorney General in accordance with section 2539 of the Crime Control Act of 1990;

(5) any recommendations for additional resources or legislation necessary to improve collection efforts; and

(6) information concerning the status of the National Fine Center of the Administrative Office of the United States Courts.

SEC. 35. REPORTING REQUIREMENTS.

The Resolution Trust Corporation shall provide semi-annual reports to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance and Urban Affairs of the House of Representatives. Such reports shall—

(1) detail procedures for expediting the registration and contracting for selecting auctioneers for asset sales with anticipated gross proceeds of not more than $1,500,000;

(2) list by name and geographic area the number of auction contractors which have been registered and qualified to perform services for the Resolution Trust Corporation; and

(3) list by name, address of home office, location of assets disposed, and gross proceeds realized, the number of auction contractors which have been awarded contracts.

SEC. 36. CONTINUATION OF CONSERVATORSHIPS OR RECEIVERSHIPS.

Section 21A(b)(6) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)(6)) is amended—

(1) by striking ''If the Corporation'' and inserting the following:

''(A) IN GENERAL.—If the Corporation''; and

(2) by adding at the end the following new subparagraph:

''(B) SAIF-INSURED BANKS.—Notwithstanding any other provision of Federal or State law, if the Federal Deposit Insurance Corporation is appointed as conservator or receiver for any Savings Association Insurance Fund member that has converted to a bank charter and otherwise meets the criteria in paragraph (3)(A) or (6)(A), the Federal Deposit Insurance Corporation may tender such appointment to the Corporation, and the Corporation shall accept such appointment, if the Corporation is authorized to accept such appointment under this section.''.

SEC. 37. EXCEPTIONS FOR CERTAIN TRANSACTIONS.

(a) TRANSACTIONS INVOLVING CERTAIN INSTITUTIONS.—Section 11(a)(4)(B) of the Federal Deposit Insurance Act shall not prohibit assistance from the Bank Insurance Fund that otherwise meets all the criteria established in section 13(c) of such Act from being provided to an insured depository institution that became wholly-owned, either directly or through a wholly-owned subsidiary, by an entity or instrumentality of a State government during the period beginning on January 1, 1992, and ending on the date of enactment of this Act.

(b) TRANSACTIONS INVOLVING THE FDIC AS RECEIVER.—Notwithstanding the extension, pursuant to section 27, of the Resolution Trust Corporation's jurisdiction to be appointed conservator or receiver of certain savings associations after September 30, 1993, no provision of this Act or any amendment made by this Act shall invalidate or otherwise affect—

(1) any appointment of the Federal Deposit Insurance Corporation as receiver for any savings association that became effective before the date of enactment of this Act; or

(2) any action taken by the Federal Deposit Insurance Corporation as such receiver before, on, or after such date of enactment.

SEC. 38. BANK DEPOSIT FINANCIAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—Effective December 19, 1993, section 7(i) of the Federal Deposit Insurance Act (12 U.S.C. 1817(i)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

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

''(3) BANK DEPOSIT FINANCIAL ASSISTANCE PROGRAM.—Notwithstanding paragraph (1), funds deposited by an insured depository institution pursuant to the Bank Deposit Financial Assistance Program of the Department of Energy shall be separately insured in an amount not to exceed $100,000 for each insured depository institution depositing such funds.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 11(a)(1)(C) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)(1)(C)) is amended by striking ''section 7(i)(1)'' and inserting ''paragraph (1) or (2) of section 7(i) or any funds described in section 7(i)(3)''.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same.

For consideration of the Senate bill, and the House amendment, and modifications committed to conference:

HENRY GONZALEZ,
STEVE NEAL,
JOHN J. LAFALCE,
BRUCE F. VENTO,
CHARLES SCHUMER,
BARNEY FRANK,
PAUL E. KANJORSKI,
JOE KENNEDY II,
FLOYD H. FLAKE,
JAMES A. LEACH,
MARGE ROUKEMA,

DOUG BEREUTER,
RICHARD H. BAKER,
For consideration of section 13 of the Senate bill, and section 23 of the House amendment, and modifications committed to conference:
JOHN CONYERS,
For consideration of sections 18 and 22 of the Senate bill, and sections 4 and 19 of the House amendment, and modifications committed to conference:
JACK BROOKS,
BILL HUGHES,
RICK BOUCHER,
Managers on the Part of the House.

DON RIEGLE,
PAUL SARBANES,
CHRISTOPHER DODD,
ALFONSE D'AMATO,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

On motion of Mr. NEAL of North Carolina, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. HOYER, announced that the yeas had it.

Mr. MCCOLLUM demanded a recorded vote on agreeing to said conference report, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative .....

Yeas	235
Nays	191
Answered present	1

¶140.35 [Roll No. 613]

AYES—235

Abercrombie	Derrick	Hilliard
Ackerman	Deutsch	Hinchey
Andrews (ME)	Dicks	Hoagland
Applegate	Dingell	Hochbrueckner
Bacchus (FL)	Dixon	Holden
Baker (LA)	Dooley	Houghton
Barcia	Dreier	Hoyer
Barlow	Durbin	Inslee
Barrett (NE)	Edwards (CA)	Jacobs
Barrett (WI)	Edwards (TX)	Jefferson
Bateman	Engel	Johnson (CT)
Becerra	English (AZ)	Johnson (GA)
Beilenson	Eshoo	Johnson (SD)
Bereuter	Farr	Johnson, E. B.
Berman	Fawell	Johnston
Bilbray	Fazio	Kanjorski
Bishop	Fields (LA)	Kennedy
Blackwell	Fingerhut	Kennelly
Bonior	Fish	Kildee
Borski	Flake	King
Boucher	Foglietta	Kleczka
Brooks	Ford (MI)	Klein
Brown (CA)	Ford (TN)	Klink
Brown (FL)	Fowler	Kolbe
Brown (OH)	Frank (MA)	Kopetski
Bryant	Franks (CT)	Kreidler
Cantwell	Frost	LaFalce
Cardin	Furse	Lambert
Carr	Gejdenson	Lancaster
Clay	Gephardt	Lantos
Clayton	Geren	LaRocco
Clyburn	Gibbons	Laughlin
Coleman	Glickman	Lazio
Collins (IL)	Gonzalez	Leach
Collins (MI)	Gordon	Lehman
Conyers	Grandy	Levin
Coppersmith	Green	Levy
Coyne	Gutierrez	Lewis (CA)
Danner	Hall (TX)	Lewis (GA)
Darden	Hamburg	Lightfoot
de la Garza	Hamilton	Lipinski
Deal	Harman	Machtley
Dellums	Hastings	Maloney
Mann	Orton	Smith (IA)
Manton	Parker	Spratt
Margolies-Mezvinsky	Pastor	Stark
Markey	Payne (NJ)	Stenholm
Martinez	Payne (VA)	Stokes
Matsui	Pelosi	Strickland
Mazzoli	Peterson (FL)	Studds
McCandless	Pickett	Stupak
McCloskey	Pickle	Swett
McCurdy	Porter	Swift
McDermott	Price (NC)	Synar
McHale	Rangel	Tejeda
McKinney	Reed	Thurman
McMillan	Reynolds	Torres
Meehan	Richardson	Torricelli
Meek	Roemer	Towns
Mfume	Rose	Tucker
Mineta	Rostenkowski	Unsoeld
Minge	Roukema	Valentine
Mink	Rowland	Velazquez
Moakley	Roybal-Allard	Vento
Mollohan	Rush	Volkmer
Montgomery	Sabo	Washington
Moran	Sangmeister	Waters
Morella	Sarpalius	Watt
Murphy	Sawyer	Waxman
Murtha	Schenk	Wheat
Nadler	Schumer	Whitten
Natcher	Scott	Williams
Neal (MA)	Serrano	Wilson
Neal (NC)	Shays	Wise
Oberstar	Shepherd	Woolsey
Obey	Sisisky	Wynn
Olver	Skaggs	Yates
Ortiz	Skelton	Young (AK)
	Slattery	

NOES—191

Allard	Gallo	Oxley
Andrews (NJ)	Gekas	Packard
Andrews (TX)	Gilchrest	Pallone
Archer	Gillmor	Paxon
Armey	Gilman	Penny
Bachus (AL)	Gingrich	Peterson (MN)
Baesler	Goodlatte	Petri
Baker (CA)	Goodling	Pombo
Ballenger	Goss	Pomeroy
Barca	Grams	Portman
Bartlett	Greenwood	Poshard
Barton	Gunderson	Pryce (OH)
Bentley	Hancock	Quillen
Bevill	Hansen	Quinn
Bilirakis	Hastert	Rahall
Bliley	Hefley	Ramstad
Blute	Hefner	Ravenel
Boehlert	Herger	Regula
Boehner	Hobson	Ridge
Bonilla	Hoekstra	Roberts
Brewster	Hoke	Rogers
Browder	Horn	Rohrabacher
Bunning	Huffington	Ros-Lehtinen
Burton	Hughes	Roth
Buyer	Hunter	Royce
Byrne	Hutchinson	Sanders
Callahan	Hutto	Santorum
Calvert	Inglis	Saxton
Camp	Inhofe	Schaefer
Canady	Istook	Schiff
Castle	Johnson, Sam	Schroeder
Chapman	Kaptur	Sensenbrenner
Clement	Kasich	Shaw
Coble	Kim	Shuster
Collins (GA)	Kingston	Skeen
Combest	Klug	Slaughter
Condit	Knollenberg	Smith (MI)
Cooper	Kyl	Smith (NJ)
Costello	Lewis (FL)	Smith (TX)
Cox	Linder	Snowe
Cramer	Livingston	Solomon
Crane	Lloyd	Spence
Crapo	Long	Stearns
Cunningham	Lowey	Stump
DeFazio	Manzullo	Sundquist
DeLauro	McCollum	Talent
DeLay	McCrery	Tanner
Diaz-Balart	McDade	Tauzin
Dickey	McHugh	Taylor (MS)
Doolittle	McInnis	Taylor (NC)
Dornan	McKeon	Thomas (CA)
Duncan	McNulty	Thomas (WY)
Dunn	Menendez	Thompson
Emerson	Meyers	Thornton
English (OK)	Mica	Torkildsen
Evans	Michel	Traficant
Everett	Miller (CA)	Upton
Ewing	Miller (FL)	Visclosky
Fields (TX)	Molinari	Vucanovich
Filner	Moorhead	Walker
Franks (NJ)	Nussle	Walsh
Gallegly	Owens	Weldon
Wolf	Wyden	Zeliff
	Young (FL)	Zimmer

ANSWERED "PRESENT"—1

Hyde

NOT VOTING—6

Clinger	Hayes	Sharp
Hall (OH)	Myers	Smith (OR)

TUESDAY, NOVEMBER 23 (Legislative Day of Monday, November 22), 1993

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶140.36 HANDGUN BAN

Mr. BROOKS, pursuant to the special order of the House agreed to earlier today, called up the following conference report (Rept. No. 103–412):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1025), to provide for a waiting period before the purchase of a handgun, and for the establishment of a national instant criminal background check system to be contacted by firearms dealers before the transfer of any firearm, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

TITLE I—BRADY HANDGUN CONTROL

SEC. 101. SHORT TITLE.

This title may be cited as the "Brady Handgun Violence Prevention Act".

SEC. 102. FEDERAL FIREARMS LICENSEE REQUIRED TO CONDUCT CRIMINAL BACKGROUND CHECK BEFORE TRANSFER OF FIREARM TO NON-LICENSEE.

(a) INTERIM PROVISION.—

(1) IN GENERAL.—Section 922 of title 18, United States Code, is amended by adding at the end the following:

"(s)(1) Beginning on the date that is 90 days after the date of enactment of this subsection and ending on the day before the date that is 60 months after such date of enactment, it shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell, deliver, or transfer a handgun to an individual who is not licensed under section 923, unless—

"(A) after the most recent proposal of such transfer by the transferee—

"(i) the transferor has—

"(I) received from the transferee a statement of the transferee containing the information described in paragraph (3);

"(II) verified the identity of the transferee by examining the identification document presented;

"(III) within 1 day after the transferee furnishes the statement, provided notice of the contents of the statement to the chief law enforcement officer of the place of residence of the transferee; and

"(IV) within 1 day after the transferee furnishes the statement, transmitted a copy of the statement to the chief law enforcement officer of the place of residence of the transferee; and

''(ii)(I) 5 business days (meaning days on which State offices are open) have elapsed from the date the transferor furnished notice of the contents of the statement to the chief law enforcement officer, during which period the transferor has not received information from the chief law enforcement officer that receipt or possession of the handgun by the transferee would be in violation of Federal, State, or local law; or

''(II) the transferor has received notice from the chief law enforcement officer that the officer has no information indicating that receipt or possession of the handgun by the transferee would violate Federal, State, or local law;

''(B) the transferee has presented to the transferor a written statement, issued by the chief law enforcement officer of the place of residence of the transferee during the 10-day period ending on the date of the most recent proposal of such transfer by the transferee, stating that the transferee requires access to a handgun because of a threat to the life of the transferee or of any member of the household of the transferee;

''(C)(i) the transferee has presented to the transferor a permit that—

''(I) allows the transferee to possess or acquire a handgun; and

''(II) was issued not more than 5 years earlier by the State in which the transfer is to take place; and

''(ii) the law of the State provides that such a permit is to be issued only after an authorized government official has verified that the information available to such official does not indicate that possession of a handgun by the transferee would be in violation of the law;

''(D) the law of the State requires that, before any licensed importer, licensed manufacturer, or licensed dealer completes the transfer of a handgun to an individual who is not licensed under section 923, an authorized government official verify that the information available to such official does not indicate that possession of a handgun by the transferee would be in violation of law;

''(E) the Secretary has approved the transfer under section 5812 of the Internal Revenue Code of 1986; or

''(F) on application of the transferor, the Secretary has certified that compliance with subparagraph (A)(i)(III) is impracticable because—

''(i) the ratio of the number of law enforcement officers of the State in which the transfer is to occur to the number of square miles of land area of the State does not exceed 0.0025;

''(ii) the business premises of the transferor at which the transfer is to occur are extremely remote in relation to the chief law enforcement officer; and

''(iii) there is an absence of telecommunications facilities in the geographical area in which the business premises are located.

''(2) A chief law enforcement officer to whom a transferor has provided notice pursuant to paragraph (1)(A)(i)(III) shall make a reasonable effort to ascertain within 5 business days whether receipt or possession would be in violation of the law, including research in whatever State and local record-keeping systems are available and in a national system designated by the Attorney General.

''(3) The statement referred to in paragraph (1)(A)(i)(I) shall contain only—

''(A) the name, address, and date of birth appearing on a valid identification document (as defined in section 1028(d)(1)) of the transferee containing a photograph of the transferee and a description of the identification used;

''(B) a statement that transferee—

''(i) is not under indictment for, and has not been convicted in any court of, a crime punishable by imprisonment for a term exceeding 1 year;

''(ii) is not a fugitive from justice;

''(iii) is not an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act);

''(iv) has not been adjudicated as a mental defective or been committed to a mental institution;

''(v) is not an alien who is illegally or unlawfully in the United States;

''(vi) has not been discharged from the Armed Forces under dishonorable conditions; and

''(vii) is not a person who, having been a citizen of the United States, has renounced such citizenship;

''(C) the date the statement is made; and

''(D) notice that the transferee intends to obtain a handgun from the transferor.

''(4) Any transferor of a handgun who, after such transfer, receives a report from a chief law enforcement officer containing information that receipt or possession of the handgun by the transferee violates Federal, State, or local law shall, within 1 business day after receipt of such request, communicate any information related to the transfer that the transferor has about the transfer and the transferee to—

''(A) the chief law enforcement officer of the place of business of the transferor; and

''(B) the chief law enforcement officer of the place of residence of the transferee.

''(5) Any transferor who receives information, not otherwise available to the public, in a report under this subsection shall not disclose such information except to the transferee, to law enforcement authorities, or pursuant to the direction of a court of law.

''(6)(A) Any transferor who sells, delivers, or otherwise transfers a handgun to a transferee shall retain the copy of the statement of the transferee with respect to the handgun transaction, and shall retain evidence that the transferor has complied with subclauses (III) and (IV) of paragraph (1)(A)(i) with respect to the statement.

''(B) Unless the chief law enforcement officer to whom a statement is transmitted under paragraph (1)(A)(i)(IV) determines that a transaction would violate Federal, State, or local law—

''(i) the officer shall, within 20 business days after the date the transferee made the statement on the basis of which the notice was provided, destroy the statement, any record containing information derived from the statement, and any record created as a result of the notice required by paragraph (1)(A)(i)(III);

''(ii) the information contained in the statement shall not be conveyed to any person except a person who has a need to know in order to carry out this subsection; and

''(iii) the information contained in the statement shall not be used for any purpose other than to carry out this subsection.

''(C) If a chief law enforcement officer determines that an individual is ineligible to receive a handgun and the individual requests the officer to provide the reason for such determination, the officer shall provide such reasons to the individual in writing within 20 business days after receipt of the request.

''(7) A chief law enforcement officer or other person responsible for providing criminal history background information pursuant to this subsection shall not be liable in an action at law for damages—

''(A) for failure to prevent the sale or transfer of a handgun to a person whose receipt or possession of the handgun is unlawful under this section; or

''(B) for preventing such a sale or transfer to a person who may lawfully receive or possess a handgun.

''(8) For purposes of this subsection, the term 'chief law enforcement officer' means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual.

''(9) The Secretary shall take necessary actions to ensure that the provisions of this subsection are published and disseminated to licensed dealers, law enforcement officials, and the public.''.

(2) HANDGUN DEFINED.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

''(29) The term 'handgun' means—

''(A) a firearm which has a short stock and is designed to be held and fired by the use of a single hand; and

''(B) any combination of parts from which a firearm described in subparagraph (A) can be assembled.''.

(b) PERMANENT PROVISION.—Section 922 of title 18, United States Code, as amended by subsection (a)(1), is amended by adding at the end the following:

''(t)(1) Beginning on the date that is 30 days after the Attorney General notifies licensees under section 103(d) of the Brady Handgun Violence Prevention Act that the national instant criminal background check system is established, a licensed importer, licensed manufacturer, or licensed dealer shall not transfer a firearm to any other person who is not licensed under this chapter, unless—

''(A) before the completion of the transfer, the licensee contacts the national instant criminal background check system established under section 103 of that Act;

''(B)(i) the system provides the licensee with a unique identification number; or

''(ii) 3 business days (meaning a day on which State offices are open) have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section; and

''(C) the transferor has verified the identity of the transferee by examining a valid identification document (as defined in section 1028(d)(1) of this title) of the transferee containing a photograph of the transferee.

''(2) If receipt of a firearm would not violate section 922 (g) or (n) or State law, the system shall—

''(A) assign a unique identification number to the transfer;

''(B) provide the licensee with the number; and

''(C) destroy all records of the system with respect to the call (other than the identifying number and the date the number was assigned) and all records of the system relating to the person or the transfer.

''(3) Paragraph (1) shall not apply to a firearm transfer between a licensee and another person if—

''(A)(i) such other person has presented to the licensee a permit that—

''(I) allows such other person to possess or acquire a firearm; and

''(II) was issued not more than 5 years earlier by the State in which the transfer is to take place; and

''(ii) the law of the State provides that such a permit is to be issued only after an authorized government official has verified that the information available to such official does not indicate that possession of a firearm by such other person would be in violation of law;

''(B) the Secretary has approved the transfer under section 5812 of the Internal Revenue Code of 1986; or

''(C) on application of the transferor, the Secretary has certified that compliance with paragraph (1)(A) is impracticable because—

''(i) the ratio of the number of law enforcement officers of the State in which the transfer is to occur to the number of square miles of land area of the State does not exceed 0.0025;

''(ii) the business premises of the licensee at which the transfer is to occur are extremely remote in relation to the chief law enforcement officer (as defined in subsection (s)(8)); and

''(iii) there is an absence of telecommunications facilities in the geographical area in which the business premises are located.

''(4) If the national instant criminal background check system notifies the licensee that the information available to the system does not demonstrate that the receipt of a firearm by such other person would violate subsection (g) or (n) or State law, and the licensee transfers a firearm to such other person, the licensee shall include in the record of the transfer the unique identification number provided by the system with respect to the transfer.

''(5) If the licensee knowingly transfers a firearm to such other person and knowingly fails to comply with paragraph (1) of this subsection with respect to the transfer and, at the time such other person most recently proposed the transfer, the national instant criminal background check system was operating and information was available to the system demonstrating that receipt of a firearm by such other person would violate subsection (g) or (n) of this section or State law, the Secretary may, after notice and opportunity for a hearing, suspend for not more than 6 months or revoke any license issued to the licensee under section 923, and may impose on the licensee a civil fine of not more than $5,000.

''(6) Neither a local government nor an employee of the Federal Government or of any State or local government, responsible for providing information to the national instant criminal background check system shall be liable in an action at law for damages—

''(A) for failure to prevent the sale or transfer of a firearm to a person whose receipt or possession of the firearm is unlawful under this section; or

''(B) for preventing such a sale or transfer to a person who may lawfully receive or possess a firearm.''.

(c) PENALTY.—Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''paragraph (2) or (3) of''; and

(2) by adding at the end the following:

''(5) Whoever knowingly violates subsection (s) or (t) of section 922 shall be fined not more than $1,000, imprisoned for not more than 1 year, or both.''.

SEC. 103. NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

(a) DETERMINATION OF TIMETABLES.—Not later than 6 months after the date of enactment of this Act, the Attorney General shall—

(1) determine the type of computer hardware and software that will be used to operate the national instant criminal background check system and the means by which State criminal records systems and the telephone or electronic device of licensees will communicate with the national system;

(2) investigate the criminal records system of each State and determine for each State a timetable by which the State should be able to provide criminal records on an on-line capacity basis to the national system; and

(3) notify each State of the determinations made pursuant to paragraphs (1) and (2).

(b) ESTABLISHMENT OF SYSTEM.—Not later than 60 months after the date of the enactment of this Act, the Attorney General shall establish a national instant criminal background check system that any licensee may contact, by telephone or by other electronic means in addition to the telephone, for information, to be supplied immediately, on whether receipt of a firearm by a prospective transferee would violate section 922 of title 18, United States Code, or State law.

(c) EXPEDITED ACTION BY THE ATTORNEY GENERAL.—The Attorney General shall expedite—

(1) the upgrading and indexing of State criminal history records in the Federal criminal records system maintained by the Federal Bureau of Investigation;

(2) the development of hardware and software systems to link State criminal history check systems into the national instant criminal background check system established by the Attorney General pursuant to this section; and

(3) the current revitalization initiatives by the Federal Bureau of Investigation for technologically advanced fingerprint and criminal records identification.

(d) NOTIFICATION OF LICENSEES.—On establishment of the system under this section, the Attorney General shall notify each licensee and the chief law enforcement officer of each State of the existence and purpose of the system and the means to be used to contact the system.

(e) ADMINISTRATIVE PROVISIONS.—

(1) AUTHORITY TO OBTAIN OFFICIAL INFORMATION.—Notwithstanding any other law, the Attorney General may secure directly from any department or agency of the United States such information on persons for whom receipt of a firearm would violate subsection (g) or (n) of section 922 of title 18, United States Code or State law, as is necessary to enable the system to operate in accordance with this section. On request of the Attorney General, the head of such department or agency shall furnish such information to the system.

(2) OTHER AUTHORITY.—The Attorney General shall develop such computer software, design and obtain such telecommunications and computer hardware, and employ such personnel, as are necessary to establish and operate the system in accordance with this section.

(f) WRITTEN REASONS PROVIDED ON REQUEST.—If the national instant criminal background check system determines that an individual is ineligible to receive a firearm and the individual requests the system to provide the reasons for the determination, the system shall provide such reasons to the individual, in writing, within 5 business days after the date of the request.

(g) CORRECTION OF ERRONEOUS SYSTEM INFORMATION.—If the system established under this section informs an individual contacting the system that receipt of a firearm by a prospective transferee would violate subsection (g) or (n) of section 922 of title 18, United States Code or State law, the prospective transferee may request the Attorney General to provide the prospective transferee with the reasons therefor. Upon receipt of such a request, the Attorney General shall immediately comply with the request. The prospective transferee may submit to the Attorney General information to correct, clarify, or supplement records of the system with respect to the prospective transferee. After receipt of such information, the Attorney General shall immediately consider the information, investigate the matter further, and correct all erroneous Federal records relating to the prospective transferee and give notice of the error to any Federal department or agency or any State that was the source of such erroneous records.

(h) REGULATIONS.—After 90 days' notice to the public and an opportunity for hearing by interested parties, the Attorney General shall prescribe regulations to ensure the privacy and security of the information of the system established under this section.

(i) PROHIBITION RELATING TO ESTABLISHMENT OF REGISTRATION SYSTEMS WITH RESPECT TO FIREARMS.—No department, agency, officer, or employee of the United States may—

(1) require that any record or portion thereof generated by the system established under this section be recorded at or transferred to a facility owned, managed, or controlled by the United States or any State or political subdivision thereof; or

(2) use the system established under this section to establish any system for the registration of firearms, firearm owners, or firearm transactions or dispositions, except with respect to persons, prohibited by section 922 (g) or (n) of title 18, United States Code or State law, from receiving a firearm.

(j) DEFINITIONS.—As used in this section:

(1) LICENSEE.—The term ''licensee'' means a licensed importer (as defined in section 921(a)(9) of title 18, United States Code), a licensed manufacturer (as defined in section 921(a)(10) of that title), or a licensed dealer (as defined in section 921(a)(11) of that title).

(2) OTHER TERMS.—The terms ''firearm'', ''handgun'', ''licensed importer'', ''licensed manufacturer'', and ''licensed dealer'' have the meanings stated in section 921(a) of title 18, United States Code, as amended by subsection (a)(2).

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, which may be appropriated from the Violent Crime Reduction Trust Fund established by section 1115 of title 31, United States Code, such sums as are necessary to enable the Attorney General to carry out this section.

SEC. 104. REMEDY FOR ERRONEOUS DENIAL OF FIREARM.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 925 the following new section:

''§ 925A. Remedy for erroneous denial of firearm

''Any person denied a firearm pursuant to subsection (s) or (t) of section 922—

''(1) due to the provision of erroneous information relating to the person by any State or political subdivision thereof, or by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act; or

''(2) who was not prohibited from receipt of a firearm pursuant to subsection (g) or (n) of section 922,

may bring an action against the State or political subdivision responsible for providing the erroneous information, or responsible for denying the transfer, or against the United States, as the case may be, for an order directing that the erroneous information be corrected or that the transfer be approved, as the case may be. In any action under this section, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs.''.

(b) TECHNICAL AMENDMENT.—The chapter analysis for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 925 the following new item:

''925A. Remedy for erroneous denial of firearm.''.

SEC. 105. RULE OF CONSTRUCTION.

This Act and the amendments made by this Act shall not be construed to alter or impair any right or remedy under section 552a of title 5, United States Code.

SEC. 106. FUNDING FOR IMPROVEMENT OF CRIMINAL RECORDS.

(a) USE OF FORMULA GRANTS.—Section 509(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3759(b)) is amended—

(1) in paragraph (2) by striking ''and'' after the semicolon;

(2) in paragraph (3) by striking the period and inserting ''; and''; and

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

''(4) the improvement of State record systems and the sharing with the Attorney General of all of the records described in paragraphs (1), (2), and (3) of this subsection and the records required by the Attorney General under section 103 of the Brady Handgun Violence Prevention Act, for the purpose of implementing that Act.''.

(b) ADDITIONAL FUNDING.—

(1) GRANTS FOR THE IMPROVEMENT OF CRIMINAL RECORDS.—The Attorney General, through the Bureau of Justice Statistics, shall, subject to appropriations and with preference to States that as of the date of enactment of this Act have the lowest percent currency of case dispositions in computerized criminal history files, make a grant to each State to be used—

(A) for the creation of a computerized criminal history record system or improvement of an existing system;

(B) to improve accessibility to the national instant criminal background system; and

(C) upon establishment of the national system, to assist the State in the transmittal of criminal records to the national system.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under paragraph (1), which may be appropriated from the Violent Crime Reduction Trust Fund established by section 1115 of title 31, United States Code, a total of $200,000,000 for fiscal year 1994 and all fiscal years thereafter.

TITLE II—MULTIPLE FIREARM PURCHASES TO STATE AND LOCAL POLICE

SEC. 201. REPORTING REQUIREMENT.

Section 923(g)(3) of title 18, United States Code, is amended—

(1) in the second sentence by inserting after ''thereon,'' the following: '', and to the department of State police or State law enforcement agency of the State or local law enforcement agency of the local jurisdiction in which the sale or other disposition took place,'';

(2) by inserting ''(A)'' after ''(3)''; and

(3) by adding at the end thereof the following:

''(B) Except in the case of forms and contents thereof regarding a purchaser who is prohibited by subsection (g) or (n) of section 922 of this title from receipt of a firearm, the department of State police or State law enforcement agency or local law enforcement agency of the local jurisdiction shall not disclose any such form or the contents thereof to any person or entity, and shall destroy each such form and any record of the contents thereof no more than 20 days from the date such form is received. No later than the date that is 6 months after the effective date of this subparagraph, and at the end of each 6-month period thereafter, the department of State police or State law enforcement agency or local law enforcement agency of the local jurisdiction shall certify to the Attorney General of the United States that no disclosure contrary to this subparagraph has been made and that all forms and any record of the contents thereof have been destroyed as provided in this subparagraph.''.

TITLE III—FEDERAL FIREARMS LICENSE REFORM

SEC. 301. SHORT TITLE.

This title may be cited as the ''Federal Firearms License Reform Act of 1993''.

SEC. 302. PREVENTION OF THEFT OF FIREARMS.

(a) COMMON CARRIERS.—Section 922(e) of title 18, United States Code, is amended by adding at the end the following: ''No common or contract carrier shall require or cause any label, tag, or other written notice to be placed on the outside of any package, luggage, or other container that such package, luggage, or other container contains a firearm.''.

(b) RECEIPT REQUIREMENT.—Section 922(f) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(f)''; and

(2) by adding at the end the following new paragraph:

''(2) It shall be unlawful for any common or contract carrier to deliver in interstate or foreign commerce any firearm without obtaining written acknowledgement of receipt from the recipient of the package or other container in which there is a firearm.''.

(c) UNLAWFUL ACTS.—Section 922 of title 18, United States Code, as amended by section 102, is amended by adding at the end the following new subsection:

''(u) It shall be unlawful for a person to steal or unlawfully take or carry away from the person or the premises of a person who is licensed to engage in the business of importing, manufacturing, or dealing in firearms, any firearm in the licensee's business inventory that has been shipped or transported in interstate or foreign commerce.''.

(d) PENALTIES.—Section 924 of title 18, United States Code, is amended by adding at the end the following new subsection:

''(i)(1) A person who knowingly violates section 922(u) shall be fined not more than $10,000, imprisoned not more than 10 years, or both.

''(2) Nothing contained in this subsection shall be construed as indicating an intent on the part of Congress to occupy the field in which provisions of this subsection operate to the exclusion of State laws on the same subject matter, nor shall any provision of this subsection be construed as invalidating any provision of State law unless such provision is inconsistent with any of the purposes of this subsection.''.

SEC. 303. LICENSE APPLICATION FEES FOR DEALERS IN FIREARMS.

Section 923(a)(3) of title 18, United States Code, is amended—

(1) in subparagraph (A), by adding ''or'' at the end;

(2) in subparagraph (B) by striking ''a pawnbroker dealing in firearms other than'' and inserting ''not a dealer in'';

(3) in subparagraph (B) by striking ''$25 per year; or'' and inserting ''$200 for 3 years, except that the fee for renewal of a valid license shall be $90 for 3 years.''; and

(4) by striking subparagraph (C).

And the Senate agree to the same.

JACK BROOKS,
BILL HUGHES,
CHARLES SCHUMER,
F. JAMES SENSENBRENNER, Jr.,
GEORGE W. GEKAS,
Managers on the Part of the House.

JOSEPH R. BIDEN, Jr.,
TED KENNEDY,
HOWARD M. METZENBAUM,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. HOYER, announced that the yeas had it.

Mr. SENSENBRENNER demanded a recorded vote on agreeing to said conference report, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 238 / Nays 187

¶140.37 [Roll No. 614]

AYES—238

Abercrombie	Gibbons	Mink
Ackerman	Gilchrest	Moakley
Andrews (ME)	Gilman	Molinari
Andrews (NJ)	Glickman	Moran
Andrews (TX)	Gonzalez	Morella
Applegate	Goodling	Nadler
Bacchus (FL)	Gordon	Neal (MA)
Baesler	Goss	Neal (NC)
Baker (CA)	Greenwood	Olver
Barca	Gutierrez	Owens
Barrett (WI)	Hamburg	Oxley
Bateman	Hamilton	Pallone
Becerra	Harman	Pastor
Beilenson	Hastings	Payne (NJ)
Bentley	Hefner	Pelosi
Berman	Hinchey	Pickle
Bilirakis	Hoagland	Porter
Blackwell	Hochbrueckner	Price (NC)
Blute	Hoekstra	Quinn
Boehlert	Horn	Ramstad
Bonior	Hoyer	Rangel
Borski	Huffington	Reed
Brown (CA)	Hughes	Regula
Brown (FL)	Hutto	Reynolds
Brown (OH)	Hyde	Roemer
Bryant	Jacobs	Ros-Lehtinen
Byrne	Jefferson	Rose
Cantwell	Johnson (CT)	Rostenkowski
Cardin	Johnson (SD)	Roukema
Castle	Johnson, E.B.	Rowland
Chapman	Johnston	Roybal-Allard
Clay	Kaptur	Rush
Clayton	Kennedy	Sabo
Clement	Kennelly	Sangmeister
Clyburn	Kildee	Sawyer
Collins (IL)	Kleczka	Saxton
Collins (MI)	Klein	Schenk
Condit	Klug	Schroeder
Conyers	Kreidler	Schumer
Cooper	LaFalce	Scott
Coppersmith	Lancaster	Sensenbrenner
Coyne	Lantos	Serrano
Darden	Lazio	Sharp
DeFazio	Leach	Shaw
DeLauro	Lehman	Shays
Dellums	Levin	Shepherd
Derrick	Lewis (GA)	Skaggs
Deutsch	Lipinski	Slattery
Diaz-Balart	Lloyd	Slaughter
Dicks	Long	Smith (MI)
Dixon	Lowey	Smith (NJ)
Dooley	Machtley	Spratt
Durbin	Maloney	Stark
Edwards (CA)	Mann	Stearns
Engel	Manton	Stokes
English (AZ)	Margolies-Mezvinsky	Studds
Eshoo	Markey	Swett
Evans	Matsui	Swift
Farr	Mazzoli	Synar
Fawell	McCloskey	Thomas (CA)
Fazio	McCurdy	Thompson
Fields (LA)	McDade	Torkildsen
Filner	McDermott	Torres
Fingerhut	McHale	Torricelli
Fish	McKinney	Towns
Flake	McMillan	Traficant
Foglietta	McNulty	Tucker
Ford (MI)	Meehan	Upton
Fowler	Meek	Valentine
Frank (MA)	Menendez	Velazquez
Franks (NJ)	Meyers	Vento
Frost	Mfume	Visclosky
Furse	Michel	Walsh
Gallegly	Miller (CA)	Washington
Gallo	Mineta	Waters
Gejdenson	Minge	Watt
Gephardt		Waxman

Weldon	Woolsey	Young (FL)
Wheat	Wyden	Zimmer
Wolf	Wynn	

NOES—187

Allard	Grandy	Packard
Archer	Green	Parker
Armey	Gunderson	Paxon
Bachus (AL)	Hall (TX)	Payne (VA)
Ballenger	Hancock	Penny
Barcia	Hansen	Peterson (FL)
Barlow	Hastert	Peterson (MN)
Barrett (NE)	Hefley	Petri
Bartlett	Herger	Pickett
Barton	Hilliard	Pombo
Bereuter	Hobson	Pomeroy
Bevill	Hoke	Portman
Bilbray	Holden	Poshard
Bishop	Houghton	Pryce (OH)
Bliley	Hunter	Quillen
Boehner	Hutchinson	Rahall
Bonilla	Inglis	Ravenel
Boucher	Inhofe	Richardson
Brewster	Inslee	Ridge
Brooks	Istook	Roberts
Browder	Johnson (GA)	Rogers
Bunning	Johnson, Sam	Rohrabacher
Burton	Kanjorski	Roth
Buyer	Kasich	Royce
Callahan	Kim	Sanders
Calvert	King	Santorum
Camp	Kingston	Sarpalius
Canady	Klink	Schaefer
Carr	Knollenberg	Schiff
Coble	Kolbe	Shuster
Coleman	Kopetski	Sisisky
Collins (GA)	Kyl	Skeen
Combest	Lambert	Skelton
Costello	LaRocco	Smith (IA)
Cox	Laughlin	Smith (TX)
Cramer	Levy	Snowe
Crane	Lewis (CA)	Solomon
Crapo	Lewis (FL)	Spence
Cunningham	Lightfoot	Stenholm
Danner	Linder	Strickland
de la Garza	Livingston	Stump
Deal	Manzullo	Stupak
DeLay	Martinez	Sundquist
Dickey	McCandless	Talent
Dingell	McCollum	Tanner
Doolittle	McCrery	Tauzin
Dornan	McHugh	Taylor (MS)
Dreier	McInnis	Taylor (NC)
Duncan	McKeon	Tejeda
Dunn	Mica	Thomas (WY)
Edwards (TX)	Miller (FL)	Thornton
Emerson	Mollohan	Thurman
English (OK)	Montgomery	Unsoeld
Everett	Moorhead	Volkmer
Ewing	Murphy	Vucanovich
Fields (TX)	Murtha	Walker
Franks (CT)	Myers	Williams
Gekas	Natcher	Wilson
Geren	Nussle	Wise
Gillmor	Oberstar	Young (AK)
Gingrich	Obey	Zeliff
Goodlatte	Ortiz	
Grams	Orton	

NOT VOTING—8

Baker (LA)	Hall (OH)	Whitten
Clinger	Hayes	Yates
Ford (TN)	Smith (OR)	

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶140.38 ADJOURNMENT OF THE TWO HOUSES

Mr. GEPHARDT submitted the following privileged concurrent resolution (H. Con. Res. 190):

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Monday, November 22, 1993, or the legislative day of Tuesday, November 23, 1993, pursuant to a motion by the Majority Leader, or his designee, in accordance with this resolution, it stand adjourned sine die, and that when the Senate adjourns on any day beginning on Monday, November 22, 1993 through 11:55 a.m. on Monday, January 3, 1994, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this resolution, it stand adjourned sine die or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this resolution: *Provided,* That the Senate may recess or adjourn for any period in excess of three days pursuant to a motion made by the Majority Leader, or his designee, for the duration of the first session of the One Hundred Third Congress, subject to section 2 of this resolution.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶140.39 CONVENING OF THE SECOND SESSION OF THE 103RD CONGRESS

On motion of Mr. GEPHARDT, by unanimous consent, the House considered the joint resolution (H.J. Res. 300) providing for the convening of the Second Session of the One Hundred Third Congress.

When said joint resolution was considered and read twice.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

Ordered, That the Clerk notify the Senate thereof.

¶140.40 UNEMPLOYMENT BENEFITS

Mr. ROSTENKOWSKI, pursuant to the special order of the House, called up the following conference report (Rept. No. 103–404):

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3167), to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendment of the Senate numbered 2 and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment numbered 2, insert the following:

SEC. 9. EFFECTIVE DATES.

(a) REPEAL OF DISREGARD OF RIGHTS TO REGULAR COMPENSATION.—Notwithstanding the provisions of section 3(b) of this Act, the repeal made by section 3(a) of this Act shall apply to weeks of unemployment beginning after October 2, 1993, except that such repeal shall not apply in determining eligibility for emergency unemployment compensation from an account established before October 3, 1993.

(b) RAILROAD WORKERS.—

(1) IN GENERAL.—Paragraphs (1) and (2) of section 501(b) of the Emergency Unemployment Compensation Act of 1991 (Public Law 102–164, as amended), as amended by section 8(a)(1) of this Act, are each amended by striking ''January 1, 1994'' and inserting ''February 5, 1994''.

(2) CONFORMING AMENDMENT.—Section 501(a) of such Emergency Unemployment Compensation Act of 1991, as amended by section 8(a)(2) of this Act, is amended by striking ''January 1994'' and inserting ''February 1994''.

(3) TERMINATION OF BENEFITS.—Section 501(e) of such Emergency Unemployment Compensation Act of 1991, as amended by section 8(c) of this Act, is amended—

(A) by striking ''January 1, 1994'' and inserting ''February 5, 1994'', and

(B) by striking ''March 26, 1994'' and inserting ''April 30, 1994''.

And the Senate agree to the same.

From the Committee on Ways and Means, for consideration of Senate amendment numbered 2, and modifications committed to conference:

DAN ROSTENKOWSKI,
HAROLD FORD,

From the Committee on Post Office and Civil Service, for consideration of Senate amendment numbered 1, and modifications committed to conference:

BILL CLAY,
FRANK MCCLOSKEY,
Managers on the Part of the House.

DANIEL PATRICK MOYNIHAN,
MAX BAUCUS,
BOB PACKWOOD,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

On motion of Mr. ROSTENKOWSKI, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. HOYER, announced that the yeas had it.

Mr. BUNNING demanded a recorded vote on agreeing to said conference report, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 320 / Nays 105

¶140.41 [Roll No. 615]

AYES—320

Abercrombie	Bateman	Bonior
Ackerman	Becerra	Borski
Andrews (NJ)	Beilenson	Boucher
Andrews (TX)	Bentley	Brooks
Applegate	Berman	Browder
Bacchus (FL)	Bevill	Brown (CA)
Baesler	Bilbray	Brown (FL)
Baker (CA)	Bishop	Brown (OH)
Barca	Blackwell	Bryant
Barcia	Blute	Bunning
Barlow	Boehlert	Byrne
Barrett (WI)	Bonilla	Calvert

Camp	Houghton	Payne (NJ)
Canady	Hoyer	Pelosi
Cantwell	Huffington	Peterson (FL)
Cardin	Hughes	Peterson (MN)
Carr	Hutto	Pickett
Castle	Hyde	Pombo
Chapman	Inslee	Pomeroy
Clay	Jacobs	Porter
Clayton	Jefferson	Poshard
Clement	Johnson (CT)	Price (NC)
Clyburn	Johnson (SD)	Quinn
Coleman	Johnson, E. B.	Rahall
Collins (IL)	Johnston	Rangel
Collins (MI)	Kanjorski	Reed
Condit	Kaptur	Regula
Conyers	Kasich	Reynolds
Cooper	Kennedy	Richardson
Coppersmith	Kennelly	Ridge
Costello	Kildee	Roemer
Coyne	Kim	Rogers
Danner	King	Ros-Lehtinen
Darden	Kleczka	Rose
de la Garza	Klein	Rostenkowski
DeFazio	Klink	Roukema
DeLauro	Klug	Roybal-Allard
Dellums	Kopetski	Rush
Derrick	Kreidler	Sabo
Deutsch	LaFalce	Sanders
Diaz-Balart	Lambert	Sangmeister
Dicks	Lancaster	Santorum
Dingell	Lantos	Sarpalius
Dixon	LaRocco	Sawyer
Dooley	Laughlin	Saxton
Doolittle	Lazio	Schenk
Dunn	Leach	Schiff
Durbin	Lehman	Schroeder
Edwards (CA)	Levin	Schumer
Emerson	Levy	Scott
Engel	Lewis (GA)	Serrano
English (AZ)	Lipinski	Sharp
English (OK)	Lloyd	Shepherd
Eshoo	Long	Shuster
Evans	Lowey	Sisisky
Everett	Machtley	Skaggs
Farr	Maloney	Skelton
Fawell	Mann	Slattery
Fazio	Manton	Slaughter
Fields (LA)	Margolies-Mezvinsky	Smith (IA)
Filner	Markey	Smith (NJ)
Fingerhut	Martinez	Snowe
Fish	Matsui	Solomon
Flake	Mazzoli	Spence
Foglietta	McCloskey	Spratt
Foley	McCurdy	Stark
Ford (MI)	McDade	Stokes
Ford (TN)	McDermott	Strickland
Frank (MA)	McHale	Studds
Franks (CT)	McHugh	Stupak
Franks (NJ)	McKeon	Swett
Frost	McKinney	Swift
Furse	McNulty	Synar
Gallegly	Meehan	Talent
Gallo	Meek	Tanner
Gejdenson	Menendez	Tauzin
Gekas	Meyers	Tejeda
Gephardt	Mfume	Thompson
Gibbons	Michel	Thornton
Gilchrest	Miller (CA)	Thurman
Gillmor	Mineta	Torkildsen
Gilman	Minge	Torricelli
Glickman	Mink	Towns
Gonzalez	Moakley	Traficant
Goodling	Molinari	Tucker
Gordon	Mollohan	Unsoeld
Grandy	Montgomery	Upton
Green	Moran	Velazquez
Greenwood	Morella	Vento
Gunderson	Murphy	Visclosky
Gutierrez	Murtha	Volkmer
Hall (TX)	Myers	Vucanovich
Hamburg	Nadler	Walsh
Hamilton	Natcher	Washington
Harman	Neal (MA)	Waters
Hastert	Neal (NC)	Watt
Hastings	Oberstar	Waxman
Hefner	Obey	Weldon
Herger	Olver	Wheat
Hilliard	Ortiz	Whitten
Hinchey	Orton	Williams
Hobson	Owens	Wise
Hochbrueckner	Pallone	Wolf
Hoekstra	Parker	Woolsey
Hoke	Pastor	Wyden
Holden	Paxon	Wynn
Horn		Zimmer

NOES—105

Allard	Bachus (AL)	Bartlett
Archer	Ballenger	Barton
Armey	Barrett (NE)	Bereuter
Bilirakis	Hefley	Petri
Bliley	Hoagland	Pickle
Boehner	Hunter	Portman
Brewster	Hutchinson	Pryce (OH)
Burton	Inglis	Quillen
Buyer	Inhofe	Ramstad
Callahan	Istook	Ravenel
Coble	Johnson (GA)	Roberts
Collins (GA)	Johnson, Sam	Rohrabacher
Combest	Kingston	Roth
Cox	Knollenberg	Rowland
Cramer	Kolbe	Royce
Crane	Kyl	Schaefer
Crapo	Lewis (CA)	Sensenbrenner
Cunningham	Lewis (FL)	Shaw
Deal	Lightfoot	Shays
DeLay	Linder	Skeen
Dickey	Livingston	Smith (MI)
Dornan	Manzullo	Smith (TX)
Dreier	McCandless	Stearns
Duncan	McCollum	Stenholm
Edwards (TX)	McCrery	Stump
Ewing	McInnis	Sundquist
Fields (TX)	McMillan	Taylor (MS)
Fowler	Mica	Taylor (NC)
Geren	Miller (FL)	Thomas (CA)
Gingrich	Moorhead	Thomas (WY)
Goodlatte	Nussle	Valentine
Goss	Oxley	Walker
Grams	Packard	Young (AK)
Hancock	Payne (VA)	Young (FL)
Hansen	Penny	Zeliff

NOT VOTING—9

Andrews (ME)	Hall (OH)	Torres
Baker (LA)	Hayes	Wilson
Clinger	Smith (OR)	Yates

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶140.42 FEDERAL LEVEE ASSISTANCE

On motion of Mr. APPLEGATE, by unanimous consent, the Committee on Public Work and Transportation was discharged from further consideration of the bill (H.R. 3583) to make certain non-Federal levees eligible for assistance under the Federal levee rehabilitation program, and for other purposes.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶140.43 HISTORIC BUILDINGS AT BLACK UNIVERSITIES

On motion of Mr. VENTO, by unanimous consent, the Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 2921) to authorize appropriations for the preservation and restoration of historic buildings at historically black colleges and universities.

The bill was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶140.44 250TH ANNIVERSARY COIN OF THE BIRTH OF THOMAS JEFFERSON

On motion of Mr. KENNEDY, by unanimous consent, the Committee on Banking, Finance and Urban Affairs was discharged from further consideration of the bill (H.R. 3616) to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the birth of Thomas Jefferson, Americans who have been prisoners of war, the Vietnam Veterans Memorial on the occasion of the 10th anniversary of the Memorial, and the Women in Military Service for America Memorial, and for other purposes.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶140.45 TRUMAN FARM HOME

On motion of Mr. VENTO, by unanimous consent, the Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 486) to provide for the addition of the Truman Farm Home to the Harry S. Truman National Historic Site in the State of Missouri.

When said bill was considered and read twice.

The following amendment recommended by the Committee on Natural Resources, was agreed to:

On page 2, line 9, strike the quotation marks and the final period, and add the following:

''(d) The Secretary is authorized and directed to provide appropriate political subdivisions of the State of Missouri with technical and planning assistance for the development and implementation of plans, programs, regulations, or other means for minimizing the adverse effects on the Truman Farm Home of the development and use of adjacent lands.''.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶140.46 BLACK REVOLUTIONARY WAR PATRIOTS

On motion of Mr. VENTO, by unanimous consent, the Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 2947) to extend for an additional 2 years the authorization of the Black Revolutionary War Patriots Foundation to establish a memorial.

When said bill was considered and read twice.

The following amendment in the nature of a substitute recommended by the Committee on Natural Resources, was agreed to:

Strike all after the enacting clause and insert:

SECTION 1. EXTENSION OF LEGISLATIVE AUTHORITY FOR MEMORIAL ESTABLISHMENT.

(a) IN GENERAL.—The legislative authority for each of the following groups to establish a commemorative work (as defined by Public Law 99–652, as amended) shall expire at the end of the 10-year period beginning on the date of enactment of such authority for the respective commemorative work, notwithstanding the time period limitation specified in section 10(b) of that Public Law:

(1) The Black Revolutionary War Patriots Foundation.

(2) The Women in Military Service for America Memorial Foundation.

(3) The National Peace Garden.

(b) NAME CHANGE.—(1) The Congress finds that the Peace Garden Project, Incorporated, has changed its name to the National Peace Garden.

(2) Any reference in a law, map, regulation, document, paper, or other record of the United States to the entity referred to in paragraph (1) shall be deemed to be a reference to the National Peace Garden.

SEC. 2. COMMEMORATIVE WORKS ACT AMENDMENTS.

(a) DEFINITIONS.—(1) Section 2(c) of the Act entitled ''An Act to provide standards for placement of commemorative works on certain Federal lands in the District of Columbia and its environs, and for other purposes'' (40 U.S.C. 1002(c)) is amended—

(A) by inserting ''plague, inscription,'' after ''memorial,'';

(B) by striking out ''a person'' and inserting in lieu thereof ''an individual''; and

(C) by inserting ''American'' before ''history''.

(2) Section 2(d) of such Act (40 U.S.C. 1002(d)) is amended by striking ''an individual, group or organization'' and inserting ''a public agency, and an individual, group or organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code, and which is''.

(b) AUTHORIZATION.—Section 3 of such Act (40 U.S.C. 1003) is amended as follows:

(1) In subsection (a), by inserting ''on Federal lands referred to in section 1(d)'' after ''established''.

(2) By redesignating subsection (b) as subsection (d) and inserting after subsection (a) the following new subsections:

''(b) A military commemorative work may be authorized only to commemorate a war or similar major military conflict or to commemorate any branch of the Armed Forces. No commemorative work commemorating a lesser conflict or a unit of an Armed Force shall be authorized. Commemorative works to a war or similar major military conflict shall not be authorized until at lest 10 years after the officially designated end of the event.

''(c) A commemorative work commemorating an event, individual, or group of individuals, other than a military commemorative work as described in subsection (b) of this section, shall not be authorized until after the 25th anniversary of the event, death of the individual, or death of the last surviving member of the group.''.

(c) SPECIFIC CONDITIONS APPLICABLE TO AREAS I AND II.—Section 6 of such Act (40 U.S.C. 1006) is amended to read as follows:

''SPECIFIC CONDITIONS APPLICABLE TO AREA I AND AREA II

''SEC. 6. (a) AREA I.—The Secretary or Administrator (as appropriate) may, after seeking the advice of the National Capital Memorial Commission, recommend the location of a commemorative work in Area I only if the Secretary or Administrator (as appropriate) determines that the subject of the commemorative work is of preeminent historical and lasting significance to the Nation. The Secretary or Administrator (as appropriate) shall notify the National Capital Memorial Commission and the committees of Congress specified in section 3(b) of the recommendation by the Secretary or Administrator (as appropriate) that a commemorative work should be located in Area I. The location of a commemorative work in Area I shall be deemed not authorized, unless, not later than 150 calendar days after such notification, the recommendation is approved by law.

''(b) AREA II.—Commemorative works of subjects of lasting historical significance to the American people may be located in Area II.''.

(d) SITE AND DESIGN APPROVAL.—Section 7 of such Act (40 U.S.C. 1007) is amended—

(1) in the matter preceding paragraph (1) of subsection (a), by striking out ''commencing construction of the commemorative work'' and inserting in lieu thereof ''requesting the permit for the construction of the commemorative work'';

(2) in paragraph (1) of subsection (a)—

(A) by inserting ''the selection of alternative sites and designs for'' after ''regarding''; and

(B) by striking out the second sentence;

(3) in paragraph (2) of subsection (a), by striking out ''and the Secretary or Administrator (as appropriate)''; and

(4) in the matter preceding paragraph (1) of subsection (b), by inserting ''(but not limited by)'' after ''guided by''.

(e) CRITERIA FOR ISSUANCE OF CONSTRUCTION PERMIT.—(1) Section 8(a)(3) of such Act (40 U.S.C. 1008(a)(3)) is amended by striking out ''contracts for construction and drawings'' and inserting in lieu thereof ''contract documents for construction''.

(2) Section 8 of such Act (40 U.S.C. 1008) is amended by adding at the end the following:

''(c)(1) The Secretary or the Administrator may suspend any activity under the authority of this Act with respect to the establishment of a commemorative work if the Secretary or Administrator determines that—

''(A) fundraising efforts with respect to the commemorative work have misrepresented an affiliation with the commemorative work or the United States; or

''(B) the percentage of funds raised that is disbursed for administrative expenses and fundraising fees is unreasonable or excessive or otherwise violates fund raising standards established by the Secretary or Administrator.

''(2) The person shall be required to submit to the Secretary or Administrator an annual report of operations prepared by an independent certified public accountant, paid for by the person authorized to construct the commemorative work.

''(3) The person authorized to construct a commemorative work shall require in all fundraising contracts that the fundraiser make its books and records with respect to the commemorative work fully available to the Secretary or Administrator and the Comptroller General of the United States for a period of not less than five years after the establishment of the commemorative work.''.

(f) TEMPORARY SITE DESIGNATION.—Section 9(a) of such Act (40 U.S.C. 1009(a)) is amended by striking out ''he may designate such a site on lands administered by him'' and inserting in lieu thereof ''a site may be designated on lands administered by the Secretary''.

(g) MISCELLANEOUS PROVISIONS.—(1) Section 10(d) if such Act (40 U.S.C. 1010(d)) is amended to read as follows:

''(d) The Secretary and the Administrator shall develop appropriate regulations or standards to carry out this Act.''.

(2) Section 10(e) of such Act (40 U.S.C. 1010(e)) is amended to read as follows:

''(e) This Act shall apply to all commemorative works authorized by Congress before, on, or after the date of enactment of this subsection.''.

(h) SHORT TITLE.—Such Act is amended by adding at the end the following new section:

''SHORT TITLE

''SEC. 11. This Act may be cited as the 'Commemorative Works Act'.''.

The bill was ordered to be engrossed and read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: ''An Act to amend the Commemorative Works Act, and for other purposes.''.

A motion to reconsider the votes whereby the bill was passed and the title was amended, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶140.47 EVERGLADES PARK PROTECTION

On motion of Mr. VENTO, by unanimous consent, the Committee on Natural Resources was discharged from further consideration of the bill (H.R. 3617) to amend the Everglades National Park Protection and Expansion act of 1989.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶140.48 RIVERS, PARKS AND TRAILS STUDY

On motion of Mr. VENTO, by unanimous consent, the Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 3252) to provide for the conservation, management, or study of certain rivers, parks, trails, and historic sites.

When said bill was considered and read twice.

The following amendments, recommended by the Committee on Natural Resources, were then agreed to:

Page 4, beginning on line 22, strike ''from the Webster-Randolph County line to Centralia in Braxton County'' and insert ''there is reflected on the Webster Springs Quadrangle (West Virginia) 7.5 minute series topographic map, U.S. Geological Survey''.

Page 7, line 12, strike ''or as provided in such lease agreement,''.

Page 11, line 19, strike ''Subsections'' and insert ''Paragraphs''.

Page 12, line 16, strike the single closing quotation mark.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the votes whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶140.49 COAST GUARD AUTHORIZATION

On motion of Mr. STUDDS, by unanimous consent, the bill (H.R. 2150) to au-

thorize appropriations for fiscal year 1994 for the United States Coast Guard, and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Coast Guard Authorization Act of 1993''.

TITLE I—AUTHORIZATIONS

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are authorized to be appropriated for necessary expenses of the Coast Guard for fiscal year 1994, as follows:

(1) For the operation and maintenance of the Coast Guard, $2,612,552,200, of which $25,000,000 shall be derived from the Oil Spill Liability Trust Fund, and of which $35,000,000 shall be expended from the Boat Safety Account.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft, including equipment related thereto, $417,996,500, to remain available until expended, of which $23,030,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990.

(3) For research, development, test, and evaluation of technologies, materials, and human factors directly relating to improving the performance of the Coast Guard's mission in support of search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, and defense readiness, $25,000,000, to remain available until expended, of which $4,457,000 shall be derived from the Oil Spill Liability Trust Fund.

(4) For retired pay (including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose), payments under the Retired Serviceman's Family Protection and Survivor Benefit Plans, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $548,774,000.

(5) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation associated with the Bridge Alteration Program, $12,940,000 to remain available until expended.

(6) For environmental compliance and restoration at Coast Guard facilities, $23,057,000, to remain available until expended.

SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND MILITARY TRAINING.

(a) AUTHORIZED MILITARY STRENGTH LEVEL.—The Coast Guard is authorized an end-of-year strength for active duty personnel of 39,138 as of September 30, 1994. The authorized strength does not include members of the Ready Reserve called to active duty for special or emergency augmentation of regular Coast Guard forces for periods of 180 days or less.

(b) AUTHORIZED LEVEL OF MILITARY TRAINING.—For fiscal year 1994, the Coast Guard is authorized average military training student loads as follows:

(1) For recruit and special training, 1,986 student years.

(2) For flight training, 114 student years.

(3) For professional training in military and civilian institutions, 338 student years.

(4) For officer acquisition, 955 student years.

TITLE II—PERSONNEL MANAGEMENT IMPROVEMENT

SEC. 201. CEILING ON OFFICER CORPS.

Subsection (a) of section 42 of title 14, United States Code, is amended by striking ''6,000'' and inserting ''6,200''.

SEC. 202. VOLUNTEER SERVICES.

Section 93 of title 14, United States Code, is amended by—

(1) striking ''and'' at the end of paragraph (r);

(2) striking the period at the end of paragraph (s) and inserting a comma; and

(3) adding at the end the following new subsection:

''(t) Notwithstanding any other law, enter into cooperative agreements with States, local governments, nongovernmental organizations, and individuals, to accept and utilize voluntary services for the maintenance and improvement of natural and historic resources on, or to benefit natural and historic research on, Coast Guard facilities,

Subject to the requirement that—

(1) the cooperative agreements shall each provide for the parties to contribute funds or services on a matching basis to defray the costs of such programs, projects, and activities under the agreement; and

''(2) a person providing voluntary services under this subsection shall not be considered a Federal employee except for purposes of chapter 81 of title 5, United States Code, with respect to compensation for work-related injuries, and chapter 171 of title 28, United States Code, with respect to tort claims; and''.

SEC. 203. RESERVE RETENTION BOARDS.

Section 741 of title 14, United States Code, is amended—

(1) in subsection (a) in the first sentence by striking ''and are not on active duty and not on an approved list of selectees for promotion to the next higher grade'' and inserting the following: '', except those officers who—

''(1) are on extended active duty;

''(2) are on a list of selectees for promotion;

''(3) will complete 30 years total commissioned service by June 30th following the date that the retention board is convened; or

''(4) have reached age 59 by the date on which the retention board is convened'';

(2) in subsection (a) by moving the second sentence so as to begin—

(A) immediately below paragraph (4) (as added by paragraph (1) of this section); and

(B) flush with the left margin of the material preceding paragraph (1);

(3) by designating the third sentence of subsection (a) as subsection (b) by—

(A) inserting ''(b)'' before ''This board shall—''; and

(B) moving the third sentence so as to begin immediately below the second sentence of subsection (a); and

(4) by redesignating the last 2 subsections as subsections (c) and (d), respectively.

SEC. 204. CONTINUITY OF GRADE OF ADMIRALS AND VICE ADMIRALS.

(a) Section 46(a) of title 14, United States Code, is amended to read as follows:

''(a) A Commandant who is not reappointed shall be retired with the grade of admiral at the expiration of the appointed term, except as provided in subsection 51(d) of this title.''.

(b)(1) Section 47 of title 14, United States Code, is amended—

(A) in the heading by striking ''; retirement'';

(B) in subsection (a) by—

(i) striking ''(a)'' at the beginning thereof, and

(ii) striking the last sentence and inserting the following: ''The appointment and grade of a Vice Commandant shall be effective on the date the officer assumes that duty, and shall terminate on the date the officer is detached from that duty, except as provided in subsection 51(d) of this title.''; and

(C) by striking subsections (b), (c), and (d).

(2) The table of sections at the beginning of chapter 3 of title 14, United States Code, is amended by striking the item relating to section 47 and inserting the following:

''47. Vice Commandant: assignment.''.

(c) Section 50(b) of title 14, United States Code, is amended by striking the last sentence and inserting ''The appointment and grade of an area commander shall be effective on the date the officer assumes that duty, and shall terminate on the date the officer is detached from that duty, except as provided in subsection 51(d) of this title.''.

(d) Section 51 of title 14, United States Code, is amended by adding at the end the following new subsection:

''(d) An officer serving in the grade of admiral or vice admiral shall continue to hold that grade—

''(1) while being processed for physical disability retirement, beginning on the day of the processing and ending on the day that officer is retired, but not for more than 180 days; and

''(2) while awaiting retirement, beginning on the day that officer is relieved from the position of Commandant, Vice Commandant, Area Commander, or Chief of Staff and ending on the day before the officer's retirement, but not for more than 60 days.''.

SEC. 205. CHIEF OF STAFF.

(a) Section 41a(b) of title 14, United States Code, is amended by striking '', except that the rear admiral serving as Chief of Staff shall be the senior rear admiral for all purposes other than pay'' at the end of the second sentence.

(b)(1) Title 14, United States Code, is amended by inserting after section 50 the following new section:

''§ 50a. Chief of Staff.

''(a) The President may appoint, by and with the advice and consent of the Senate, a Chief of Staff of the Coast Guard who shall rank next after the area commanders and who shall perform duties as prescribed by the Commandant. The Chief of Staff shall be appointed from the officers on the active duty promotion list serving above the grade of captain. The Commandant shall make recommendations for the appointment.

''(b) The Chief of Staff shall have the grade of vice admiral with the pay and allowances of that grade. The appointment and grade of the Chief of Staff shall be effective on the date the officer assumes that duty, and shall terminate on the date the officer is detached from that duty, except as provided in section 51(d) of this title.''.

(2) The table of sections at the beginning of chapter 3 of title 14, United States Code, is amended by inserting after the item relating to section 50 the following:

''50a. Chief of Staff''.

(c) Section 51 of title 14, United States Code, is amended—

(1) in subsection (a) by striking ''as Commander, Atlantic Area, or Commander, Pacific Area'' and inserting ''in the grade of vice admiral''; and

(2) in subsection (b) by striking ''as Commander, Atlantic Area, or Commander, Pacific Area'' and inserting ''in the grade of vice admiral''.

(d) Section 290 of title 14, United States Code, is amended—

(1) in subsection (a) by striking ''or in the position of Chief of Staff'' in the second sentence;

(2) in subsection (f)(1) by striking ''Chief of Staff or''; and

(3) in subsection (f)(2) by striking ''Chief of Staff or''.

TITLE III—MISCELLANEOUS COAST GUARD PROVISIONS

SEC. 301. NORTH ATLANTIC ROUTES.

Sections 3 and 5 of the Act of June 25, 1936 (49 Stat. 1922, 46 App. U.S.C. 738b and 738d), are repealed.

SEC. 302. COAST GUARD FAMILY HOUSING.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by adding at the end the following new section:

"§ 670. Procurement authority for family housing

''(a) The Secretary is authorized—

''(1) to acquire, subject to the availability of appropriations sufficient to cover its full obligations, real property or interests therein by purchase, lease for a term not to exceed 5 years, or otherwise, for use as Coast Guard family housing units, including the acquisition of condominium units, which may include the obligation to pay maintenance, repair, and other condominium-relate fees; and

''(2) to dispose of by sale, lease, or otherwise, any real property or interest therein used for Coast Guard family housing units for adequate consideration.

''(b)(1) For the purposes of this section, a multiyear contract is a contract to lease Coast Guard family housing units for at least one, but not more than 5, fiscal years.

''(2) The Secretary may enter into multiyear contracts under subsection (a) of this section whenever the Coast Guard finds that—

''(A) the use of a contract will promote the efficiency of the Coast Guard family housing program and will result in reduced total costs under the contract; and

''(B) there are realistic estimates of both the cost of the contract and the anticipated cost avoidance through the use of a multiyear contract.

''(3) A multiyear contract authorized under subsection (a) of this section shall contain cancellation and termination provisions to the extent necessary to protect the best interests of the United States, and may include consideration of both recurring and nonrecurring costs. The contract may provide for a cancellation payment to be made. Amounts that were originally obligated for the cost of the contract may be used for cancellation or termination costs.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17, United States Code, is amended by adding at the end the following:

''670. Procurement authority for family housing.''.

SEC. 303. AIR STATION CAPE COD IMPROVEMENTS.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by adding after section 670 (as added by section 302 of this Act) the following new section:

"§ 671. Air Station Cape Cod improvements

''The Secretary may expend funds for the repair, improvement, restoration, or replacement of those federally or nonfederally owned support buildings, including appurtenances, which are on leased or permitted real property constituting Coast Guard Air Station Cape Cod, located on Massachusetts Military Reservation, Cape Cod, Massachusetts.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17, United States Code, is amended by adding after the item relating to section 670 (as added by section 302 of this Act) the following:

''671. Air Station Cape Code improvements.''.

SEC. 304. LONG-TERM LEASE AUTHORITY FOR AIDS TO NAVIGATION.

(a) Chapter 17 of title 14, United States Code, is amended by adding after section 671 (as added by section 303 of this Act) the following new section:

"§ 672. Long-term lease authority for navigation and communications systems sites

''(a) The Secretary is authorized, subject to the availability of appropriations, to enter into lease agreements to acquire real property or interests therein for a term not to exceed 20 years, inclusive of any automatic renewal clauses, for aids to navigation (hereafter in this section referred to as 'ATON') sites, vessel traffic service (hereafter in this section referred to as 'VTS') sensor sites, or National Distress System (hereafter in this section referred to as 'NDS') high level antenna sites. These lease agreements shall include cancellation and termination provisions to the extent necessary to protect the best interests of the United States. Cancellation payment provisions may include consideration of both recurring and nonrecurring costs associated with the real property interests under the contract. These lease agreements may provide for a cancellation payment to be made. Amounts that were originally obligated for the cost of the contract may be used for cancellation or termination costs.

''(b) The Secretary may enter into multiyear lease agreements under subsection (a) of this section whenever the Secretary finds that—

''(1) the use of such a lease agreement will promote the efficiency of the ATON, VTS, or NDS programs and will result in reduced total costs under the agreement;

''(2) the minimum need for the real property or interest therein to be leased is expected to remain substantially unchanged during the contemplated lease period; and

''(3) the estimates of both the cost of the lease and the anticipated cost avoidance through the use of a multiyear lease are realistic.''.

(b) The table of sections at the beginning of chapter 17 of title 14, United States Code, is amended by adding after the item relating to section 671 (as added by section 303 of this Act) the following:

''672. Long-term lease authority for navigation and communications systems sites.''.

SEC. 305. AUTHORITY FOR EDUCATIONAL RESEARCH GRANTS.

(a) IN GENERAL.—Chapter 9 of title 14, United States Code, is amended by adding at the end the following new section:

"§ 196. Participation in Federal, State, or other educational research grants

''Notwithstanding any other provision of law, the United States Coast Guard Academy may compete for and accept Federal, State, or other educational research grants, subject to the following limitations:

''(1) No award may be accepted for the acquisition or construction of facilities.

''(2) No award may be accepted for the routine functions of the Academy.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of title 14, United States Code, is amended by adding at the end the following:

''196. Participation in Federal, State, or other educational research grants.''.

SEC. 306. PREPOSITIONED OIL SPILL CLEANUP EQUIPMENT.

The Secretary of Transportation is authorized to expend out of amounts appropriated for acquisition, construction, and improvement for fiscal year 1994—

(1) $890,000 to acquire and preposition oil spill response equipment at Port Arthur, Texas, and

(2) $890,000 to acquire and preposition oil spill response equipment at Helena, Arkansas, subject to the Secretary determining that adequate storage and maintenance facilities are available.

SEC. 307. SHORE FACILITIES IMPROVEMENTS AT COAST GUARD STATION LITTLE CREEK, VIRGINIA.

(a) The Secretary of Transportation, subject to the availability of appropriations, may at Coast Guard Station Little Creek, Virginia—

(1) construct a 2-story station building with operational, administrative, and living spaces;

(2) construct a 180-foot long pier for Coast Guard patrol boats;

(3) construct a boat ramp; and

(4) strengthen a waterfront bulkhead.

(b) Funds necessary to carry out this section are authorized to be appropriated for fiscal years 1994.

SEC. 308. OIL SPILL TRAINING SIMULATOR.

The Secretary of Transportation is authorized to expend out of the amounts appropriated for acquisition, construction, and improvement not more than $1,250,000 to the Maritime College of the State of New York to purchase a marine oil spill management simulator.

SEC. 309. TECHNICAL CLARIFICATION.

Section 4283B of the Revised Statutes (46 App. U.S.C. 183c) is amended by striking ''any court'' in clause (2) and inserting in lieu thereof ''court''.

SEC. 310. OIL SPILL PREVENTION AND RESPONSE TECHNOLOGY TEST AND EVALUATION PROGRAM.

(a) Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall establish a program to evaluate the technological feasibility and environmental benefits of having tank vessels carry oil spill prevention and response technology. To implement the program the Secretary shall—

(1) publish in the Federal Register an invitation for submission of proposals including plans and procedures for testing; and

(2) review and evaluate technology using, to the maximum extent possible, existing evaluation and performance standards.

(b) The Secretary shall, to the maximum extent possible, incorporate in the program established in subsection (a), the results of existing studies and evaluations of oil spill prevention and response technology carried on tank vessels.

(c) Not later than 2 years after the date of the enactment of this Act, the Secretary shall evaluate the results of the program established in subsection (a) and submit a report to Congress with recommendations on the feasibility and environmental benefits of, and appropriate equipment and utilization standards for, requiring tank vessels to carry oil spill prevention and response equipment.

(d) Not later than 6 months after the date of the enactment of this Act, the Secetary shall evaluate and report to the Congress on the feasibility of using segregated ballast tanks for emergency transfer of cargo and storage of recovered oil.

SEC. 311. UNMANNED SEAGOING BARGES.

Section 3302 of title 46, United States Code, is amended by adding at the end the following:

''(m) A seagoing barge is not subject to inspection under section 3301(6) of this title if the vessel is unmanned and does not carry—

''(1) a hazardous material as cargo; or

''(2) a flammable or combustible liquid, including oil, in bulk.''.

SEC. 312. PROHIBITION ON DECOMMISSIONING ICEBREAKER MACKINAW.

(a) The Secretary of Transportation may not decommission the Coast Guard cutter MACKINAW before December 31, 1994.

(b) There is authorized to be appropriated to the Secretary of Transportation $1,600,000 for fiscal year 1994, to remain available until expended, for operations and maintenance of the Coast Guard cutter MACKINAW.

SEC. 313. LOWER COLUMBIA RIVER MARINE FIRE AND SAFETY ACTIVITIES.

The Secretary of Transportation is authorized to expend out of the amounts appro-

priated for the Coast Guard for fiscal year 1994 not more than $421,700, and for fiscal year 1995 not more than $358,300, for the lower Columbia River marine, fire, oil, and toxic spill response communications, training, equipment, and program administration activities conducted by the Marine Fire and Safety Association.

SEC. 314. CASS RIVER.

Subtitle II of title 46, United States Code, relating only to vessel inspection and manning, shall not apply to a vessel operating on the date of enactment of this Act on the Cass River above the dam at Frankenmuth, Michigan (locally known as the Hubinger Dam) which is inspected and licensed by the State of Michigan to carry passengers.

SEC. 315. SENSE OF THE CONGRESS REGARDING FUNDING FOR COAST GUARD.

It is the sense of the Congress that in appropriating amounts for the Coast Guard, the Congress should appropriate amounts adequate to enable the Coast Guard to carry out all extraordinary functions and duties the Coast Guard is required to undertake in addition to its normal functions established by law.

SEC. 316. COOPERATIVE AGREEMENT AUTHORITY.

Section 93 of title 14, United States Code, as amended by section 202 of this Act, is further amended by adding at the end the following new subsection:

''(u) enter into cooperative agreements with other Government agencies and the National Academy of Sciences.''.

SEC. 317. REGIONAL FISHERIES LAW ENFORCEMENT TRAINING CENTERS.

(a) GULF OF MEXICO.—The Coast Guard shall establish a Gulf of Mexico Regional Fisheries Law Enforcement Training Center in the Eighth Coast Guard District in Southeastern Louisiana.

(b) SOUTHEAST ATLANTIC.—The Coast Guard shall establish a Southeast Regional Fisheries Law Enforcement Training Center in the Seventh Coast Guard District in Charleston, South Carolina.

(c) PURPOSE.—The purpose of the regional fisheries law enforcement training centers shall be to increase the skills and training of Coast Guard fisheries law enforcement personnel and to ensure that such training considers and meets the unique and complex needs and demands of the fisheries of the Gulf of Mexico and the Southeast United States.

SEC. 318. NATIONAL SAFE BOATING WEEK.

(a) The Act of June 4, 1958 (36 U.S.C. 161) is amended by striking ''week commencing on the first Sunday in June'' and inserting ''the seven day period ending on the last Friday before Memorial Day''.

(b) This section is effective January 1, 1995.

SEC. 319. LOS ANGELES-LONG BEACH VESSEL TRAFFIC SERVICE.

The Coast Guard is authorized to provide personnel support for the interim vessel traffic information service in the Ports of Los Angeles and Long Beach operated on behalf of the State of California by the Marine Exchange of Los Angeles-Long Beach Harbors, Inc., a California nonprofit corporation (hereinafter referred to as ''Marine Exchange''). The Coast Guard shall be reimbursed for all costs associated with providing such personnel in accordance with a reimbursable agreement between the Coast Guard and the State of California. Amounts received by the Coast Guard as reimbursements for its costs shall be credited to the appropriation for operating expenses of the Coast Guard. The United States Government assumes no liability for any act or omission of any officer, director, employee, or representative of the Marine Exchange or of the State of California, arising out of the operation of the vessel traffic information service by the Marine Exchange, and the Coast Guard shall have the same protections and limitations on such liability as are afforded to the Marine Exchange under California law.

SEC. 320. FINANCIAL RESPONSIBILITY FOR NONPERFORMANCE.

Section 3(b) of Public Law 89–777 (46 App. U.S.C. 817e(b)) is amended by striking ''and such bond or other security shall be in an amount paid equal to the estimated total revenue for the particular transportation.'' and inserting a period.

SEC. 321. FISHING AND FISH TENDER VESSELS.

(a) In this section, ''fish tender vessel'', ''fishing vessel'', and ''tank vessel'' have the meanings given those terms under section 2101 of Title 46, United States Code.

(b) A fishing vessel or fish tender vessel of not more than 750 gross tons, when engaged only in the fishing industry, shall not be deemed to be a tank vessel for the purposes of any law.

(c)(1) This section does not affect the authority of the Secretary of Transportation under chapter 33 of title 46, United States Code, to regulate the operation of the vessels listed in subsection (b) to ensure the safe carriage of oil and hazardous substances.

(2) This section does not affect the requirement for fish tender vessels engaged in the Aleutian trade to comply with chapters 33, 45, 51, 81, and 87 of title 46, United States Code, as provided in the Aleutian Trade Act of 1990 (Pub. L. 101–595).

SEC. 322. OIL SPILL RECOVERY OPERATIONS.

(a) Section 8104 of title 46, United States Code, is amended—

(1) in subsection (g), by striking ''a vessel used only to respond to a discharge of oil or a hazardous substance,''; and

(2) by adding a new subsection to read as follows:

''(p) On a vessel used only to respond to a discharge of oil or a hazardous substance, the licensed individuals and crewmembers may be divided into at least two watches when the vessel is engaged in an operation less than 12 hours in duration.''.

(b) Section 8301 of title 46, United States Code, is amended by adding a new subsection to read as follows:

''(e) A vessel used only to respond to a discharge of oil or a hazardous substance shall have—

''(1) two licensed mates when the vessel is engaged in an operation over 12 hours in duration;

''(2) one licensed mate when the vessel is engaged in an operation less than 12 hours in duration; and

''(3) if the vessel is more than 200 gross tons, a licensed engineer when the vessel is operating.''.

SEC. 323. LIMITATIONS ON PERFORMANCE OF LONGSHORE WORK BY ALIEN CREWMEMBERS—ALASKA EXCEPTION.

(a) ALASKA EXCEPTION.—Section 258 of the Immigration and Nationality Act (8 U.S.C. 1288) is amended—

(1) by redesignating subsection (d) as subsection (e); and

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

''(d) STATE OF ALASKA EXCEPTION.—(1) Subsection (a) shall not apply to a particular activity of longshore work at a particular location in the State of Alaska if an employer of alien crewman has filed an attestation with the Secretary of Labor at least 30 days before the date of the first performance of the activity (or anytime up to 24 hours before the first performance of the activity, upon a showing that the employer could not have reasonably anticipated the need to file an attestation for that location at that time) setting forth facts and evidence to show that—

''(A) the employer will make a bona fide request for United States longshore workers who are qualified and available in sufficient numbers to perform the activity at the particular time and location from the parties to whom notice has been provided under clauses (ii) and (iii) of subparagraph (D), except that—

''(i) wherever two or more contract stevedoring companies have signed a joint collective bargaining agreement with a single labor organization described in subparagraph (D)(i), the employer may request longshore workers from only one of such contract stevedoring companies, and

''(ii) a request for longshore workers to an operator of a private dock may be made only for longshore work to be performed at that dock and only if the operator meets the requirements of section 32 of the Longshoremen's and Harbor Workers' Compensation Act (33 U.S.C. 932);

''(B) the employer will employ all those United States longshore workers made available in response to the request made pursuant to subparagraph (A) who are qualified and available in sufficient numbers and who are needed to perform the longshore activity at the particular time and location;

''(C) the use of alien crewmembers for such activity is not intended or designed to influence an election of a bargaining representative for workers in the State of Alaska; and

''(D) notice of the attestation has been provided by the employer to—

''(i) labor organizations which have been recognized as exclusive bargaining representatives of United States longshore workers within the meaning of the National Labor Relations Act and which make available or intend to make available workers to the particular location where the longshore work is to be performed,

''(ii) contract stevedoring companies which employ or intend to employ United States longshore workers at that location, and

''(iii) operators of private docks at which the employer will use longshore workers.

''(2)(A) An employer filing an attestation under paragraph (1) who seeks to use alien crewmen to perform longshore work shall be responsible while the attestation is valid to make bona fide requests for United States longshore workers under paragraph (1)(A) and to employ United States longshore workers, as provided in paragraph (1)(B), before using alien crewmen to perform the activity or activities specified in the attestation, except that an employer shall not be required to request longshore workers from a party if that party has notified the employer in writing that it does not intend to make available United States longshore workers to the location at which the longshore work is to be performed.

''(B) If a party that has provided such notice subsequently notifies the employer in writing that it is prepared to make available United States longshore workers who are qualified and available in sufficient numbers to perform the longshore activity to the location at which the longshore work is to be performed, then the employer's obligations to that party under subparagraphs (A) and (B) of paragraph (1) shall begin 60 days following the issuance of such notice.

''(3)(A) In no case shall an employer filing an attestation be required—

''(i) to hire less than a full work unit of United States longshore workers needed to perform the longshore activity;

''(ii) to provide overnight accommodations for the longshore workers while employed; or

''(iii) to provide transportation to the place of work, except where—

''(I) surface transportation is available;

''(II) such transportation may be safely accomplished;

''(III) travel time to the vessel does not exceed one-half hour each way; and

''(IV) travel distance to the vessel from the point of embarkation does not exceed 5 miles.

''(B) In the cases of Wide Bay, Alaska, and Klawock/Craig, Alaska, the travel times and travel distances specified in subclauses (III) and (IV) of subparagraph (A) shall be extended to 45 minutes and 7½ miles, respectively, unless the party responding to the request for longshore workers agrees to the lesser time and distance limitations specified in those subclauses.

''(4) Subject to subparagraphs (A) through (D) of subsection (c)(4), attestations filed under paragraph (1) of this subsection shall—

''(A) expire at the end of the 1-year period beginning on the date the employer anticipates the longshore work to begin, as specified in the attestation filed with the Secretary of Labor, and

''(B) apply to aliens arriving in the United States during such 1-year period if the owner, agent, consignee, master, or commanding officer states in each list under section 251 that it continues to comply with the conditions in the attestation.

''(5)(A) Except as otherwise provided by subparagraph (B), subsection (c)(3) and subparagraphs (A) through (E) of subsection (c)(4) shall apply to attestations filed under this subsection.

''(B) The use of alien crewmen to perform longshore work in Alaska consisting of the use of an automated self-unloading conveyor belt or vacuum-actuated system on a vessel shall be governed by the provisions of subsection (c).

''(6) For purposes of this subsection—

''(A) the term 'contract stevedoring companies' means those stevedoring companies licensed to do business in the State of Alaska that meet the requirements of section 32 of the Longshoremen's and Harbor Workers' Compensation Act (33 U.S.C. 932); and

''(B) the term 'employer' includes any agent or representative designated by the employer; and

''(C) the terms 'qualified' and 'available in sufficient numbers' shall be defined by reference to industry standards in the State of Alaska, including safety considerations.''

(b) CONFORMING AMENDMENTS.—

(1) Section 258(a) (8 U.S.C. 1288(a)) is amended by striking ''subsection (c) or subsection (d)'' and inserting ''subsection (c), (d), or (e)''.

(2) Section 258(c)(4)(A) (8 U.S.C. 1288(c)(4)(A)) is amended by inserting ''or subsection (d)(1)'' after ''paragraph (1)'' each of the two places it appears.

(3) Section 258(c) (8 U.S.C. 1288(c)) is amended by adding at the end the following new paragraph:

''(5) Except as provided in paragraph (5) of subsection (d), this subsection shall not apply to longshore work performed in the State of Alaska.''.

(c) IMPLEMENTATION—(1) The Secretary of Labor shall prescribe such regulations as may be necessary to carry out this section.

(2) Attestations filed pursuant to section 258(c) (8 U.S.C. 1288(c)) with the Secretary of Labor before the date of enactment of this Act shall remain valid until 60 days after the date of issuance of final regulations by the Secretary under this section.

SEC. 324. CAPE COD LIGHTHOUSE PLANNING AND DESIGN STUDIES.

(a) COMPLETION OF STUDIES.—

(1) PLANNING.—Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation and the Secretary of the Interior shall complete the necessary planning studies, including selection of a relocation site, identified in the Coast Guard's strategy document for relocation of the Cape Cod Lighthouse (popularly known as the ''Highland Light Station''), located in North Truro, Massachusetts.

(2) DESIGN.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall complete the design studies identified in the Coast Guard's strategy document for relocation of the Cape Cod Lighthouse.

(b) USE OF AMOUNTS FOR STUDIES.—Of amounts appropriated under the authority of this Act of acquisition, construction, rebuilding, and improvement, the Secretary of Transportation may use up to $600,000 for conducting the studies required under subsection (a).

SEC. 325. WASHINGTON STATE LIGHTHOUSES.

(a) AUTHORITY TO TRANSFER.—

(1) IN GENERAL.—The Secretary may convey by any appropriate means to the Washington State Parks and Recreation Commission all right, title, and interest of the United States in and to property comprising 1 or more of the Cape Disappointment Lighthouse, North Head Lighthouse, and Point Wilson Lighthouse.

(2) IDENTIFICATION OF PROPERTY.—The Secretary may identify, describe, and determine property conveyed pursuant to this section.

(b) TERMS AND CONDITIONS.—

(1) IN GENERAL.—The conveyance of property pursuant to subsection (a) shall be made—

(A) without the payment of consideration; and

(B) subject to such terms and conditions as the Secretary may consider appropriate.

(2) REVERSIONARY INTEREST.—In addition to any term or condition established pursuant to paragraph (1), any conveyance of property comprising Cape Disappointment Lighthouse, North Head Lighthouse, or Point Wilson Lighthouse pursuant to this section shall be subject to the condition that all right, title, and interest in and to the property so conveyed shall immediately revert to the United States if the property, or any part thereof—

(A) ceases to be used as a center for public benefit for the interpretation and preservation of maritime history;

(B) ceases to be maintained in a manner that ensures its present or future use as a Coast Guard aid to navigation; or

(C) ceases to be maintained in a manner consistent with the provisions of the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.).

(3) REQUIRED CONDITIONS.—Any conveyance of property pursuant to this section shall be made subject to such conditions as the Secretary considers to be necessary to assure that—

(A) the lights, antennas, and associated equipment located on the property conveyed, which are active aids to navigation, shall continue to be operated and maintained by the United States;

(B) the Washington State Parks and Recreation Commission may not interfere or allow interference in any manner with such aids to navigation without express written permission from the Secretary of Transportation;

(C) there is reserved to the United States the right to relocate, replace, or add any aids to navigation or make any changes on any portion of such property as may be necessary for navigation purposes;

(D) the United States shall have the right, at any time, to enter such property without notice for the purpose of maintaining aids to navigation;

(E) the United States shall have an easement of access to such property for the purpose of maintaining the aids to navigation in use on the property; and

(F) the property shall be rehabilitated and maintained by the owner in accordance with the provisions of the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.).

(4) MAINTENANCE OF CERTAIN EQUIPMENT NOT REQUIRED.—The Washington State Parks and Recreation Commission shall not have any obligation to maintain any active aid to navigation equipment on property conveyed pursuant to this section.

(c) DEFINITIONS.—For purposes of this section, the term—

(1) ''Cape Disappointment Lighthouse'' means the Coast Guard lighthouse located at Fort Canby State Park, Washington, including—

(A) the lighthouse, excluding any lantern or lens that is the personal property of the Coast Guard; and

(B) such land as may be necessary to enable the Washington State Parks and Recreation Commission to operate at that lighthouse a center for public benefit for the interpretation and preservation of the maritime history;

(2) ''North Head Lighthouse'' means the Coast Guard lighthouse located at Fort Canby State Park, Washington, including—

(A) the lighthouse, excluding any lantern or lens that is the personal property of the Coast Guard;

(B) ancillary buildings; and

(C) such land as may be necessary to enable the Washington State Parks and Recreation Commission to operate at that lighthouse a center for public benefit for the interpretation and preservation of maritime history;

(3) ''Point Wilson Lighthouse'' means the Coast Guard lighthouse located at Fort Worden State Park, Washington, including—

(A) the lighthouse, excluding any lantern or lens that is the personal property of the Coast Guard;

(B) 2 ancillary buildings; and

(C) such land as may be necessary to enable the Washington State Parks and Recreation Commission to operate at that lighthouse a center for public benefit for the interpretation and preservation of maritime history; and

(4) ''Secretary'' means the Secretary of Transportation.

SEC. 326. HERON NECK LIGHTHOUSE.

(a) AUTHORITY TO TRANSFER.—

(1) IN GENERAL.—The Secretary of Transportation shall convey by any appropriate means to the Island Institute, Rockland, Maine, all right, title, and interest of the United States in and to property comprising the Heron Neck Lighthouse.

(2) IDENTIFICATION OF PROPERTY.—The Secretary may identify, describe, and determine property conveyed pursuant to this subsection.

(b) TERMS AND CONDITIONS.—

(1) IN GENERAL.—The conveyance of property pursuant to subsection (a) shall be made—

(A) without payment of consideration; and

(B) subject to such terms and conditions as the Secretary may consider appropriate.

(2) USE OF PROPERTY.—The property conveyed pursuant to subsection (a) may be used for educational, historic, recreational, and cultural programs open to and for the benefit of the general public. Theme displays, museums, gift shops, open exhibits, meeting rooms, and an office and quarters for personnel in connection with security and administration of the property are expressly authorized. Other uses not inconsistent with the foregoing uses are permitted unless the Secretary shall reasonably determine that such uses are incompatible with the historic nature of the property or with other provisions of this section.

(3) REVISIONARY INTEREST.—In addition to any term or condition established pursuant to paragraph (1), any conveyance of property comprising the Heron Neck Lighthouse pursuant to subsection (a) shall be subject to the condition that all right, title, and interest in and to the property so conveyed shall

immediately revert to the United States if the property, or any part thereof—

(A) ceases to be used as a nonprofit center for educational, historic, recreational, and cultural programs open to and for the benefit of the general public;

(B) ceases to be maintained in a manner that ensures its present or future use as a Coast Guard aid to navigation; or

(C) ceases to be maintained in a manner consistent with the provisions of the National Historic Preservation Act of 1966 (U.S.C. 40 et seq.).

(3) REQUIRED CONDITIONS.—Any conveyance of property pursuant to this section shall be made subject to such conditions as the Secretary considers to be necessary to assure that—

(A) the light, antennas, sound signal, and associated lighthouse equipment located on the property conveyed, which are active aids to navigation, shall continue to be operated and maintained by the United States Government for as long as they are needed for this purpose;

(B) the Island Institute may not interfere or allow interference in any manner with such aids to navigation without express written permission from the Secretary;

(C) there is reserved to the United States the right to relocate, replace, or add any aids to navigation or make any changes on any property as may be necessary for navigation purposes;

(D) the United States shall have the right, at any time, to enter such property without notice for the purpose of maintaining aids to navigation; and

(E) the United States shall have an easement of access to such property for the purpose of maintaining the aids to navigation in use on the property.

(4) MAINTENANCE OBLIGATION.—The Island Institute shall not have any obligation to maintain any active aid to navigation equipment on property conveyed pursuant to subsection (a).

(c) PROPERTY TO BE MAINTAINED IN ACCORDANCE WITH CERTAIN LAWS.—The Island Institute shall maintain the Heron Neck Lighthouse in accordance with the Provisions of the National Historic Preservation Act of 1966 (16 U.S.C. et seq.) and other applicable laws.

(d) DEFINITIONS.—For purposes of this section, the term ''Heron Neck Lighthouse'' means the Coast Guard lighthouse located on Green Island, Vinalhaven, Maine, including—

(1) the attached keeper's dwelling, ancillary buildings, and associated fog signal, and boat ramp; and

(2) such land as may be necessary to enable the Island Institute to operate at that lighthouse a nonprofit center for public benefit.

SEC. 327. BURNT COAT HARBOR LIGHTHOUSE.

(a) AUTHORITY TO TRANSFER.—

(1) IN GENERAL.—The Secretary of Transportation shall convey by any appropriate means to the Town of Swan's Island, Swans Island, Maine, all right, title, and interest of the United States in and to property comprising the Burnt Coat Harbor Lighthouse.

(2) IDENTIFICATION OF PROPERTY.—The Secretary may identify, describe, and determine property conveyed pursuant to this subsection.

(b) TERMS AND CONDITIONS.—

(1) IN GENERAL.—The conveyance of property pursuant to subsection (a) shall be made—

(A) without payment of consideration; and

(B) subject to such terms and conditions as the Secretary may consider appropriate.

(2) USE OF PROPERTY.—The property conveyed pursuant to subsection (a) may be used for educational, historic, recreational, and cultural programs open to and for the benefit of the general public. Theme displays, museums, gift shops, open exhibits, meeting rooms, and an office and quarters for personnel in connection with security and administration of the property are expressly authorized. Other uses not inconsistent with the foregoing uses are permitted unless the Secretary shall reasonably determine that such uses are incompatible with the historic nature of the property or with other provisions of this section.

(3) REVERSIONARY INTEREST.—In addition to any term or condition established pursuant to paragraph (1), any conveyance of property comprising the Heron Neck Lighthouse pursuant to subsection (a) shall be subject to the condition that all right, title, and interest in and to the property so conveyed shall immediately revert to the United States if the property, or any part thereof—

(A) ceases to be used as a nonprofit center for public benefit for the interpretation and preservation of the material culture of the United States Coast Guard and the maritime history of the State of Maine;

(B) ceases to be maintained in a manner that ensures its present or future use as a Coast Guard aid to navigation; or

(C) ceases to be maintained in a manner consistent with the provisions of the National Historic Preservation Act of 1966 (U.S.C. 470 et seq.).

(4) REQUIRED CONDITIONS.—Any conveyance of property pursuant to this section shall be made subject to such conditions as the Secretary considers to be necessary to assure that—

(A) the light, antennas, sound signal, and associated lighthouse equipment located on the property conveyed, which are active aids to navigation, shall continue to be operated and maintained by the United States Government for as long as they are needed for this purpose;

(B) the Town of Swan's Island may not interfere or allow interference in any manner with such aids to navigation without express written permission from the Secretary;

(C) there is reserved to the United States the right to relocate, replace, or add any aids to navigation or make any changes on any property as may be necessary for navigation purposes;

(D) the United States shall have the right, at any time, to enter such property without notice for the purpose of maintaining aids to navigation; and

(E) the United States shall have an easement of access to such property for the purpose of maintaining the aids to navigation in use on the property.

(4) MAINTENANCE OBLIGATION.—The Town of Swan's Island shall not have any obligation to maintain any active aid to navigation equipment on property conveyed pursuant to subsection (a).

(c) PROPERTY TO BE MAINTAINED IN ACCORDANCE WITH CERTAIN LAWS.—The Town of Swan's Island shall maintain the Burnt Coat Harbor Lighthouse in accordance with the Provisions of the National Historic Preservation Act of 1966 (16 U.S.C. et seq.) and other applicable laws.

(d) DEFINITIONS.—For purposes of this section, the term ''Burnt Coat Harbor Lighthouse'' means the Coast Guard lighthouse located on Swans Island, Maine, including the keeper's dwelling, oil house, bell tower and such lands as may be necessary to enable the Swan's Island Educational Society to operate at the lighthouse a nonprofit center for public benefit.

TITLE IV—EMPLOYMENT AND DISCHARGE

SEC. 401. SHIPPING ARTICLES AGREEMENTS.

Section 10302 of title 46, United States Code, is amended—

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

''(a) The owner, charterer, managing operator, master, or individual in charge shall make a shipping agreement in writing with each seaman before the seaman commences employment.''; and

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

''(c) Each shipping agreement must be signed by the master or individual in charge or a representative of the owner, charterer, or managing operator, and by each seaman employed.

''(d) The owner, charterer, managing operator, master, or individual in charge shall maintain the shipping agreement and make the shipping agreement available to the seaman.''.

SEC. 402. FORM OF AGREEMENTS.

Section 10304 of title 46, United States Code, is amended by striking ''Shipping commissioner's signature or initials'' from the form.

SEC. 403. MANNER OF SIGNING AGREEMENTS.

Section 10305 of title 46, United States Code, is amended—

(1) in subsection (a)(2), by striking ''a shipping commissioner'' and inserting in lieu thereof ''the master or individual in charge'';

(2) by striking ''(a)''; and

(3) by striking subsections (b) and (c).

SEC. 404. EXHIBITING MERCHANT MARINE MARINERS' DOCUMENTS.

Section 10306 of title 46, United States Code, is amended by striking ''shipping commissioner'' and inserting in lieu thereof ''master or individual in charge''.

SEC. 405. REPEAL OF PENALTY FOR FAILURE TO POST AGREEMENT.

Section 10307 of title 46, United States Code, is amended by striking the last sentence.

SEC. 406. REPEAL OF PENALTY RELATING TO ENGAGING SEAMEN OUTSIDE UNITED STATES.

Section 10308 of title 46, United States Code, is amended by striking ''(a)'' and by striking subsection (b).

SEC. 407. REPEAL OF PENALTY RELATING TO ENGAGING REPLACEMENT SEAMEN; APPLICATION OF REQUIREMENTS.

Section 10309 of title 46, United States Code, is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

SEC. 408. ACCOUNTING OF WAGES AND DEDUCTIONS AT PAYOFF OR DISCHARGE.

Section 10310 of title 46, United States Code, is amended by striking ''or a shipping commissioner'' in the first sentence and by striking the last sentence.

SEC. 409. CERTIFICATES OF DISCHARGE.

Section 10311 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''shipping commissioner'' and inserting in lieu thereof ''master or individual in charge'';

(2) in subsection (b), by striking the last sentence and inserting in lieu thereof ''The certificate shall be signed by the master and the seaman.'';

(3) in subsection (d)(1), by striking ''Secretary'' and inserting in lieu thereof ''owner, charterer, managing operator, master, or individual in charge''; and

(4) in subsection (d)(2), by striking ''at a cost prescribed by regulation'' and inserting in lieu thereof ''at the request of the seaman''.

SEC. 410. SETTLEMENTS ON DISCHARGE.

Section 10312 of title 46, United States Code, is amended to read as follows:

''§ 10312. Settlements on discharge

''When discharge and settlement are completed, the master, individual in charge, or owner and each seaman shall sign the agreement required by section 10302 of this title.''.

SEC. 411. RECORDS OF SEAMEN.

Section 10320 of title 46, United States Code, is amended to read as follows:

''§10320. Records of seamen

''The Secretary shall prescribe regulations requiring vessel owners to maintain records of seamen on matters of engagement, discharge, and service. A vessel owner shall make these records available to the seaman and the Coast Guard on request.''.

SEC. 412. GENERAL PENALTY.

Section 10321 of title 46, United States Code, is amended to read as follows:

''§10321. General penalty

''(a) A person violating any provision of this chapter or a regulation prescribed under this chapter is liable to the United States Government for a civil penalty of not more than $5,000.

''(b) The vessel is liable in rem for any penalty assessed under this section.''.

SEC. 413. SHIPPING ARTICLES AGREEMENTS.

Section 10502 of title 46, United States Code, is amended—

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

'(a) The owner, charterer, managing operator, master, or individual in charge shall make a shipping agreement in writing with each seaman before the seaman commences employment.''.

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

''(d) Each shipping agreement must be signed by the master or individual in charge or a representative of the owner, charterer, or managing operator, and by each seaman employed.

''(e) The owner, charterer, managing operator, master, or individual in charge shall maintain the shipping agreement and make the shipping agreement available to the seaman.

''(f) The Secretary shall prescribe regulations requiring shipping companies to maintain records of seamen on matters of engagement, discharge, and service. The shipping companies shall make these records available to the seaman and the Coast Guard on request.''.

SEC. 414. ADVANCES.

Section 10505 of title 46, United States Code, is amended—

(1) in subsection (a)(2), by striking ''$100'' and inserting in lieu thereof ''$5,000''; and

(2) in subsection (b), by striking ''$500'' and inserting in lieu thereof ''$5,000''.

SEC. 415. DUTIES OF SHIPPING COMMISSIONERS.

(a) REPEAL.—Section 10507 of title 46, United States Code, is repealed.

(b) CONFORMING AMENDMENT.—The analysis at the beginning of chapter 105 of title 46, United States Code, is amended by striking the item relating to section 10507.

SEC. 416. GENERAL PENALTIES.

Section 10508(b) is amended by striking ''$20'' and inserting in lieu thereof ''not more than $5,000''.

SEC. 417. GENERAL REPORT REQUIREMENT.

Section 10103(a) of title 46, United States Code, is amended—

(1) by striking ''without a shipping commissioner being present''; and

(2) by inserting ''to the vessel owner'' immediately after ''shall submit reports''.

SEC. 418. PROCEDURES OF MASTERS REGARDING SEAMAN'S EFFECTS.

Section 10703 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''by regulations prescribed by the Secretary'' and inserting in lieu thereof ''in section 10706 of this title'';

(2) in subsection (b), by striking ''as prescribed by regulations'' and inserting in lieu thereof ''to a district court of the United States''; and

(3) in subsection (c), by striking ''subsection (a) of this section'' and inserting in lieu thereof ''section 10706 of this title''.

SEC. 419. SEAMEN DYING IN UNITED STATES.

Section 10706 of title 46, United States Code, is amended by striking at the end ''as provided by regulations prescribed by the Secretary.'' and inserting in lieu thereof ''to a district court of the United States within one week of the seaman's death. If the seaman's death occurs at sea, such money, property, or wages shall be delivered to a district court of a consular officer within one week of the vessel's arrival at the first port call after the seaman's death.''.

SEC. 420. DELIVERY TO DISTRICT COURT.

(a) REPEAL.—Section 10707 of title 46, United States Code, is repealed.

(b) AMENDMENT TO CHAPTER ANALYSIS.—The analysis at the beginning of chapter 107 of title 46, United States Code, is amended by striking the item relating to section 10707.

SEC. 421. DISPOSAL OF FORFEITURES.

Section 11505 of title 46, United States Code, is amended—

(1) in subsection (a), by striking the last sentence and inserting in lieu thereof ''The balance shall be transferred to the appropriate district court of the United States when the voyage is completed.''; and

(2) in subsection (b), by striking the first sentence.

SEC. 422. CONFORMING AMENDMENTS.

(A) DUTIES OF MASTERS.—Section 10702(b) of title 46, United States code, is amended by striking ''a shipping commissioner'' and inserting in lieu thereof ''the consular officer or court clerk''.

(b) COMPLAINTS OF UNFITNESS.—Section 10902(b) of title 46, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting ''Secretary,'' immediately after ''The complaint may be made to the'';

(B) by striking ''Coast Guard shipping commissioner,''; and

(2) in paragraphs (2) and (3), by striking ''The officer, commissioner,'' each place it appears and inserting in lieu thereof ''The Secretary, officer,''.

(c) Shipping Commissioner Designations and Duties.—(1) Section 10102 of title 46, United States Code, is repealed.

(2) The analysis at the beginning of chapter 101 is amended by striking the item relating to section 10102.

TITLE V—PASSENGER VESSEL SAFETY

SEC. 501. SHORT TITLE.

This title may be cited as the ''Passenger Vessel Safety Act of 1993''.

SEC. 502. PASSENGER.

Section 2101(21) of title 46, United States Code, is amended to read as follows:

''(21) 'passenger'—

''(A) means an individual carried on the vessel except—

''(i) the owner or an individual representative of the owner or, in the case of a vessel under charter, an individual charter or individual representative of the charterer;

''(ii) the master; or

''(iii) a member of the crew engaged in the business of the vessel who has not contributed consideration for carriage and who is paid for on board services.

''(B) on an offshore supply vessel, means an individual carried on the vessel except—

''(i) an individual included in clause (i), (ii), or (iii) of subparagraph (A) of this paragraph;

''(ii) an employee of the owner, or of a subcontractor to the owner, engaged in the business of the owner;

''(iii) an employee of the charterer, or of a subcontractor to the charterer, engaged in the business of the charterer; or

''(iv) an individual employed in a phase of exploration, exploitation, or production of offshore mineral or energy resources served by the vessel.

''(C) on a fishing vessel, fish processing vessel, or fish tender vessel, means an individual carried on the vessel except—

''(i) an individual included in clause (i), (ii), or (iii) of subparagraph (A) of this paragraph;

''(ii) a managing operator;

''(iii) an employee of the owner, or of a subcontractor to the owner, engaged in the business of the owner;

''(iv) an employee of the charterer, or of a subcontractor to the charterer, engaged in the business of the charterer;

''(v) an observer or sea sampler on board the vessel pursuant to a requirement of State or Federal law.

''(D) on a sailing school vessel, means an individual carried on the vessel except—

''(i) an individual included in clause (i), (ii), or (iii) of subparagraph (A) of this paragraph;

''(ii) an employee of the owner of the vessel engaged in the business of the owner, except when the vessel is operating under a demise charter;

''(iii) an employee of the demise charterer of the vessel engaged in the business of the demise charterer; or

''(iv) a sailing school instructor or sailing school student.''.

SEC. 503. PASSENGER VESSEL.

Section 2101(22) of title 46, United States Code, is amended to read as follows:

''(22) 'passenger vessel' means a vessel of at least 100 gross tons—

''(A) carrying more than 12 passengers, including at least one passenger for hire;

''(B) that is chartered and carrying more than 12 passengers; or

''(C) that is a submersible vessel carrying at least one passenger for hire.''.

SEC. 504. SMALL PASSENGER VESSEL.

Section 2101(35) of title 46, United States Code, is amended to read as follows:

''(35) 'small passenger vessel' means a vessel of less than 100 gross tons—

''(A) carrying more than 6 passengers, including at least one passenger for hire;

''(B) that is chartered with the crew provided or specified by the owner or the owner's representative and carrying more than 6 passengers;

''(C) that is chartered with no crew provided or specified by the owner or the owner's representative and carrying more than 12 passengers; or

''(D) that is a submersible vessel carrying at least one passenger for hire.''.

SEC. 505. UNINSPECTED PASSENGER VESSEL.

Section 2101(42) of title 46, United States Code, is amended to read as follows:

''(42) 'uninspected passenger vessel' means an uninspected vessel—

''(A) of at least 100 gross tons—

''(i) carrying not more than 12 passengers, including at least one passenger for hire; or

''(ii) that is chartered with the crew provided or specified by the owner or the owner's representative and carrying not more than 12 passengers; and

''(B) of less than 100 gross tons—

''(i) carrying not more than 6 passengers, including at least one passenger for hire; or

''(ii) that is chartered with the crew provided or specified by the owner or the owner's representative and carrying not more than 6 passengers.''.

SEC. 506. PASSENGER FOR HIRE.

Section 2101 of title 46, United States Code, is amended by inserting between paragraphs (21) and (22) a new paragraph (21a) to read as follows:

''(21a) 'passenger for hire' means a passenger for whom consideration is contributed as a 'condition of carriage on the vessel, whether directly or indirectly flowing to the

owner, charterer, operator, agent, or any other person having an interest in the vessel.''.

SEC. 507. CONSIDERATION.

Section 2101 of title 46, United States Code, is amended by inserting between paragraphs (5) and (6) a new paragraph (5a) to read as follows:

''(5a) 'consideration' means an economic benefit, inducement, right, or profit including pecuniary payment accruing to an individual, person, or entity, but not including a voluntary sharing of the actual expenses of the voyage, by monetary contribution or donation of fuel, food, beverage, or other supplies.''.

SEC. 508. OFFSHORE SUPPLY VESSEL.

Section 2101(19) of title 46, United States Code, is amended by inserting ''individuals in addition to the crew,'' immediately after ''supplies,'' and by striking everything after ''resources'' to the period at the end.

SEC. 509. SAILING SCHOOL VESSEL.

Section 2101(30) of title 46, United States Code, is amended in subparagraph (B) by striking ''at least 6'' and substituting ''more than 6''.

SEC. 510. SUBMERSIBLE VESSEL.

Section 2101 of title 46, United States Code, is amended by inserting between paragraphs (37) and (38) a new paragraph (37a) to read as follows:

''(37a) 'submersible vessel' means a vessel that is capable of operating below the surface of the water.''.

SEC. 511. GENERAL PROVISION.

(a) Section 2113 of title 46, United States Code, is amended to read as follows:

''§2113. Authority to exempt certain vessels

''If the Secretary decides that the application of a provision of part B, C, F, or G of this subtitle is not necessary in performing the mission of the vessel engaged in excursions or an oceanographic research vessel, or not necessary for the safe operation of certain vessels carrying passengers, the Secretary by regulation may—

''(1) for a vessel issue a special permit specifying the conditions of operation and equipment;

''(2) exempt an oceanographic research vessel from that provision under conditions the Secretary may specify;

''(3) establish different operating and equipment requirements for vessels defined in section 2101(42)(A) of this title;

''(4) establish different structural fire protection, manning, operating, and equipment requirements for vessels of at least 100 gross tons but less than 300 gross tons carrying not more than 150 passengers on domestic voyages if the owner of the vessel—

''(A) make application for inspection to the Coast Guard within 6 months of the date of enactment of the Passenger Vessel Safety Act of 1993; and

''(B) provides satisfactory documentation that the vessel was chartered at least once within the previous 12 months prior to the date of enactment of that Act; and

''(5) establish different structural fire protection, manning, operating, and equipment requirements for former public vessels of the United States of at least 100 gross tons but less than 500 gross tons, carrying not more than 150 passengers on domestic voyages, if the owner of the vessel—

''(A) makes application for inspection to the Coast Guard within 6 months of the date of enactment of the Passenger Vessel Safety Act of 1993; and

''(B) provides satisfactory documentation that the vessel was chartered at least once within the previous 12 months prior to the date of enactment of that Act.''.

(b) Section 4105 of title 46, United States Code is amended—

(1) by inserting ''(a)'' before the text; and

(2) by adding a new subsection (b) to read as follows:

''(b) Within twenty-four months of the date of enactment of this subsection, the Secretary shall, by regulation, require certain additional equipment which may include liferafts or other lifesaving equipment, construction standards, or specify additional operating standards for those uninspected passenger vessels defined in section 2101(42)(A) of this title.''.

SEC. 512. EQUIPMENT AND STANDARDS FOR CERTAIN PASSENGER VESSELS.

(a) Section 3306 of title 46, United States Code, is amended by adding at the end of the following new subsections:

''(h) The Secretary shall establish appropriate structural fire protection, manning, operating, and equipment requirements for vessels of at least 100 gross tons but less than 300 gross tons carrying not more than 150 passengers on domestic voyages, which meet the eligibility criteria of section 2113(4) of this title.

''(i) The Secretary shall establish appropriate structural fire protection, manning, operating, and equipment requirements for former public vessels of the United States of at least 100 gross tons but less than 500 gross tons carrying not more than 150 passengers on domestic voyages, which meet the eligibility criteria of section 2113(5) of this title.''

(b) The Secretary of Transportation shall, within twenty-four months of the date of enactment of this Act, prescribe regulations establishing the structural fire protection, manning, operating, and equipment requirements for vessels which meet the requirements of subsections (h) and (i) of section 3306 of title 46, United States Code, as amended by this Act.

(c) Before the Secretary of Transportation prescribes regulations under subsections (h) and (i) of section 3306 of title 46, United States Code, as amended by this Act, the Secretary may prescribe the route, service, manning, and equipment for those vessels based on existing passenger vessel and small passenger vessel regulations.

SEC. 513. APPLICABILITY DATE FOR REVISED REGULATIONS.

(a) APPLICABILITY DATE FOR CERTAIN CHARTERED VESSELS.—Revised regulations governing small passenger vessels and passenger vessels (as the definitions of those terms in section 2101 of title 46, United States Code, are amended by this Act) shall not, before the date that is 6 months after the date of enactment of this Act, apply to such vessels when chartered with no crew provided.

(b) EXTENSION OF PERIOD.—The Secretary of the department in which the Coast Guard is operating shall extend for up to 30 additional months or until issuance of a certificate of inspection, whichever occurs first, the period of inapplicability specified in subsection (a) if the owner of the vessel concerned carries out the provisions of subsection (c) to the satisfaction of the Secretary.

(c) CONDITIONS FOR EXTENSION.—To receive an extension authorized by subsection (b), the owner of the vessel shall—

(1) make application for inspection with the Coast Guard within 6 months after the date of enactment of this Act;

(2) make the vessel available for examination by the Coast Guard prior to the carriage of passengers;

(3)(A) correct especially any hazardous conditions involving the vessel's structure, electrical system, and machinery installation, such as (i) grossly inadequate, missing, unsound, or severely deteriorated frames or major structural members; (ii) wiring systems or electrical appliances without proper grounding or overcurrent protection; and (iii) significant fuel or exhaust system leaks;

(B) equip the vessel with lifesaving and fire fighting equipment, or the portable equivalent, required for the route and number of persons carried; and

(C) verify through stability tests, calculations, or other practical means (which may include a history of safe operations) that the vessel's stability is satisfactory for the size, route, and number of passengers; and

(4) develop a work plan approved by the Coast Guard to complete in a good faith effort all requirements necessary for issuance of a certificate of inspection as soon as practicable.

(d) OPERATION OF VESSEL DURING EXTENSION PERIOD.—The owner of a vessel receiving an extension under this section shall operate the vessel under the conditions of route, service, number of passengers, manning, and equipment as may be prescribed by the Coast Guard for the extension period.

TITLE VI—DOCUMENTATION OF VESSELS

SEC. 601 DOCUMENTATION OF VESSELS

(a) Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), the Act of June 19, 1886 (46 App. U.S.C. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue certificates of documentation with a coastwise endorsement for the following vessels:

(1) ABORIGINAL (United States official number 942118).

(2) AFTERSAIL (United States official number 689427).

(3) ALEXANDRIA (United States official number 586490).

(4) AMANDA (Michigan registration number MC–1125–FR).

(5) ARBITRAGE II (United States official number 962861).

(6) ARIEL (United States official number 954762).

(7) BRANDARIS (former United States official number 263174).

(8) COMPASS ROSE (United States official number 695865).

(9) DIXIE (United States official number 513159).

(10) ELISSA (United States official number 697285).

(11) EMERALD PRINCESS (former United States official number 530095).

(12) ENTERPRISE (United States official number 692956).

(13) EUROPA STAR (former United States official number 588270).

(14) EUROPA SUN (former United States official number 596656).

(15) GAZELA OF PHILADELPHIA (Pennsylvania registration number PA-4339-AF).

(16) GUSTO (United States official number 624951).

(17) GRAY (Connecticut registration number CT-5944-AJ).

(18) GRIZZLY PROCESSOR (Canadian offical number 369183).

(19) GYPSY COWBOY (United States official number 550771).

(20) IMPATIENT LADY (United States official number 553952).

(21) INTREPID DRAGON II (United States official number 548109).

(22) ISLAND GIRL (United States official number 674840).

(23) JULIET (Michigan registration number MC-1669-LM).

(24) KALENA (Hawaii registration number HA-1923-D).

(25) LAURISA (United States official number 924052).

(26) LIBBY ROSE (United States official number 236976).

(27) LISERON (United States official number 971339).

(28) MARINE STAR (United States official number 248329).

(29) MARINER (United States official number 285452).
(30) MARY B (Kentucky registration number KY-0098-HX).
(31) MOONSHINE (United States official number 974226).
(32) MYSTIQUE (United States official number 921194).
(33) NORTHERN LIGHT (United States official number 237510).
(34) PAI NUI (Hawaii registration number HA-6949-D).
(35) PANDACEA (United States official number 665892).
(36) PELCIAN (United States official number 234959).
(37) PLAY PRETTY (United States official number 975346).
(38) PRINCE OF TIDES II (United States official number 903858).
(39) RANGOON RUBY (Hawaii registration number HA-5636-B).
(40) RBOAT (United States official number 563955).
(41) SABLE (Massachusetts registration number MS-1841-AM).
(42) SERENA (United States official number 965317).
(43) SHILOH (United States official number 902675).
(44) SIDEWINDER (United States official number 991719).
(45) SWELL DANCER (United States official number 622046).
(46) TESSA (United States official number 675130).
(47) TOP DUCK (United States official number 990973).
(48) VIKING (United States official number 286080).
(49) WHIT CON TIKI (United States official number 663823).

(b) Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883) or any other law restricting a foreign-flag vessel from operating in the coastwise trade, the foreign-flag vessel H851 may engage in the coastwise trade to transport an offshore drilling platform jacket from a place near Aransas Pass, Texas, to a site on the Outer Contiental Shelf known as Viosca Knoll 989.

(c) Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), the Act of June 19, 1886, (46 App. U.S.C. 289), and sections 12106 and 12107 of title 46, United States Code, the Secretary of Transportation may issue certificates of documentation with a coastwise and Great Lakes endorsement for the vessels LADY CHARL II (United States official number 541399) and LINETTE (United States official number 654318).

(d) Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), the Act of June 19, 1886, (46 App. U.S.C. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with a coastwise endorsement for the vessel M/V TWIN DRILL (Panama official number 8536-PEXT-2) if--

(1) the vessel undergoes a major conversion (as defined in section 2101 of title 46, United States Code) in a United States shipyard;

(2) the cost of the major conversion is more than three times the purchase value of the vessel before the major conversion;

(3) the major conversion is completed and the vessel is documented under chapter 121 of title 46, United States Code, with a coastwise endorsement before June 30, 1995;

(4) the person documenting the vessel contracts with a United States shipyard to construct an additional vessel of equal or greater capacity within 12 months of the date of enactment of this Act, for delivery within 36 months of the date of such contract; and

(5) the additional vessel is documented under chapter 121 of title 446, United States Code immediately after it is constructed.

(e) Notwithstanding sections 12106 and 12108 of title 46, United States Code, the Act of June 19, 1886 (46 App. U.S.C. 289), and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), the Secretary of Transportation may issue a certificate of documentation with a coastwise and fishery endorsement for the vessel REEL CLASS (Hawaii registration number HA–6566–E).

(f) Notwithstanding section 12108 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with a fishery endorsement for the vessel DA WARRIOR (United States official number 962231).

(g) Notwithstanding any other law or any agreement with the United States Government, the vessels UST ATLANTIC (United States official number 601437) and UST PACIFIC (United States official number 613131) may be sold to a person that is not a citizen of the United States and transferred to or placed under a foreign registry.

(h) Notwithstanding any other law, the vessel AMY CHOUEST (United States official number 995631) is deemed to be less than 500 gross tons, as mesaured under chapter 145 of title 46, United States Code, for purposes of the maritime laws of the United States.

(i) Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), the Act of June 19, 1886 (46 App. U.S.C. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation for the following vessels:

(1) PRINCESS XANADU OF MONACO (United States official number 660847).
(2) INSPIRATION (United States official number 277099).
(3) VENUS (United States official number 547419).
(4) LATER (United States official number 615732).
(5) MATCH MAKER (United States official number 908725).

TITLE VII—MISCELLANEOUS FISHERY PROVISIONS

SEC. 701. GOVERNING INTERNATIONAL FISHERIES AGREEMENT.

The Agreement between the Government of the United States of America and the Government of the Russian Federation on Mutual Fisheries Relations which ws entered into on May 31, 1988, and which expired by its terms on October 28, 1993, may be brought into force again for the United States through an exchange of notes between the United States of America and the Russian Federation and may remain in force and effect on the part of the United States until May 1, 1994, and may be amended or extended by a subsequent agreement to which section 203 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1823) applies.

SEC. 702. SHRIMP TRAWL FISHERY.

Section 304(g)(6)(B) of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1854(g)(6)(B)) is amended by striking ''January 1, 1994'' and inserting ''April 1, 1994''.

SEC. 703. INTERNATIONAL FISHERY CONSERVATION IN THE CENTRAL BERING SEA.

It is the sense of the Congress that—

(1) the United States should take appropriate measures to conserve the resources of the Doughnut Hole, a small enclave of international waters in the central Bering Sea, encircled by the Exclusive Economic Zones of the United States and the Russian Federation;

(2) the United States should continue its pursuit of an international agreement, consistent with its rights as a coastal state, to ensure proper management for future commercial viability of these natural resources;

(3) the United States, working closely with the Russian Federation should, in accordance with international law and through multilateral consultations or through other means, promote effective international programs for the implementation and enforcement of regulations of the fisheries by those nations that fish in the Doughnut Hole;

(4) the United States nonetheless should be mindful of its management responsibility in this regard and of its rights in accordance with international law to fully utilize the stock within its own exclusive economic zone;

(5) the United States should accept as an urgent duty the need to conserve for future generations the Aleutian Basin pollock stock and should carry out that duty by taking all necessary measures, in accordance with international law; and

(6) the United States should foster further multilateral cooperation leading to international consensus on management of the Doughnut Hole resources through the fullest use of diplomatic channels and appropriate domestic and international law and should explore all other available options and means for conservation and management of these living marine resources.

SEC. 704. NOAA FACILITIES IN KODIAK.

(a) Notwithstanding any other provision of law, the Secretary of Commerce may enter into an agreement with the University of Alaska under which the University may contract for the engineering and design specifications of a facility on Near Island in Kodiak, Alaska, that meets the long-term space needs of National Oceanic and Atmospheric Administration personnel currently located in Alaska.

(b) The Secretary may transfer available funds to the University of Alaska to pay for such engineering and design work if additional funds in an equal or greater amount are made available from non-federal sources for such work.

TITLE VIII—ATLANTIC COASTAL FISHERIES

SEC. 801. SHORT TITLE.

This title may be cited as the ''Atlantic Coastal Fisheries Cooperative Management Act''.

SEC. 802. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) Coastal fishery resources that migrate, or are widely distributed, across the jurisdictional boundaries of two or more of the Atlantic States and of the Federal Government are of substantial commercial and recreational importance and economic benefit to the Atlantic coastal region and the Nation.

(2) Increased fishing pressure, environmental pollution, and the loss and alteration of habitat have reduced severely certain Atlantic coastal fishery resources.

(3) Because no single governmental entity has exclusive management authority for Atlantic coastal fishery resources, harvesting of such resources is frequently subject to disparate, inconsistent, and intermittent State and Federal regulation that has been detrimental to the conservation and sustainable use of such resources and to the interests of fishermen and the Nation as a whole.

(4) The responsibility for managing Atlantic coastal fisheries rests with the States, which carry out a cooperative program of fishery oversight and management through the Atlantic States Marine Fisheries Commission. It is the responsibility of the Federal Government to support such cooperative interstate management of coastal fishery resources.

(5) The failure by one or more Atlantic States to fully implement a coastal fishery management plan can affect the status of Atlantic coastal fisheries, and can discour-

age other States from fully implementing coastal fishery management plans.

(6) It is in the national interest to provide for more effective Atlantic State fishery resource conservation and management.

(b) PURPOSE.—The purpose of this title is to support and encourage the development, implementation, and enforcement of effective interstate conservation and management of Atlantic coastal fishery resources.

SEC. 803. DEFINITIONS.

In this title, the following definitions apply:

(1) The term ''coastal fishery management plan'' means a plan for managing a coastal fishery resource, or an amendment to such plan, prepared and adopted by the Commission, that—

(A) contains information regarding the status of the resource and related fisheries;

(B) specifies conservation and management actions to be taken by the States; and

(C) recommends actions to be taken by the Secretary in the exclusive economic zone to conserve and manage the fishery.

(2) The term ''coastal fishery resource'' means any fishery, any species of fish, or any stock of fish that moves among, or is broadly distributed across, waters under the jurisdiction of two or more States or waters under the jurisdiction of one or more States and the exclusive economic zone.

(3) The term ''Commission'' means the Atlantic States Marine Fisheries Commission established under the interstate compact consented to and approved by the Congress in Public Laws 77–539 and 81–721.

(4) The term ''conservation'' means the restoring, rebuilding, and maintaining of any coastal fishery resource and the marine environment, in order to assure the availability of coastal fishery resources on a long-term basis.

(5) The term ''Councils'' means Regional Fishery Management Councils established under section 302 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1852).

(6) The term ''exclusive economic zone'' means the exclusive economic zone of the United States established by Proclamation Number 5030, dated March 10, 1983. For the purposes of this title, the inner boundary of that zone is a line coterminous with the seaward boundary of each of the coastal States, and the outer boundary of that zone is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the territorial sea is measured.

(7) The term ''fish'' means finfish, mollusks, crustaceans, and all other forms of marine animal life other than marine mammals and birds.

(8) The term ''fishery'' means—

(A) one or more stocks of fish that can be treated as a unit for purposes of conservation and management and that are identified on the basis of geographical, scientific, technical, commercial, recreational, or economic characteristics; or

(B) any fishing for such stocks.

(9) The term ''fishing'' means—

(A) the catching, taking, or harvesting of fish;

(B) the attempted catching, taking, or harvesting of fish;

(C) any other activity that can be reasonably expected to result in the catching, taking, or harvesting of fish; or

(D) any operations at sea in support of, or in preparation for, any activity described in subparagraphs (A) through (C).

Such term does not include any scientific research activity or the catching, taking, or harvesting of fish in an aquaculture operation.

(10) The term ''implement and enforce'' means to enact and implement laws or regulations as required to conform with the provisions of a coastal fishery management plan and to assure compliance with such laws or regulations by persons participating in a fishery that is subject to such plan.

(11) The term ''person'' means any individual (whether or not a citizen or national of the United States), any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State), and any Federal, State, local, or foreign government or any entity of any such government.

(12) The term ''Secretary'' means the Secretary of Commerce.

(13) The term ''State'' means Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, the District of Columbia, or the Potomac River Fisheries Commission.

SEC. 804. STATE-FEDERAL COOPERATION IN ATLANTIC COASTAL FISHERY MANAGEMENT.

(A) FEDERAL SUPPORT FOR STATE COASTAL FISHERIES PROGRAMS.—The Secretary in cooperation with the Secretary of the Interior shall develop and implement a program to support the interstate fishery management efforts of the Commission. The program shall include activities to support and enhance State cooperation in collection, management, and analysis of fishery data; law enforcement; habitat conservation; fishery research, including biological and socioeconomic research; and fishery management planning.

(b) FEDERAL REGULATION IN EXCLUSIVE ECONOMIC ZONE.—(1) In the absence of an approved and implemented fishery management plan under the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), and after consultation with the appropriate Councils, the Secretary may implement regulations to govern fishing in the exclusive economic zone that are—

(A) necessary to support the effective implementation of a coastal fishery management plan; and

(B) consistent with the national standards set forth in section 301 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1851).

The regulations may include measures recommended by the Commission to the Secretary that are necessary to support the provisions of the coastal fishery management plan. Regulations issued by the Secretary to implement an approved fishery management plan prepared by the appropriate Councils or the Secretary under the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) shall supersede any conflicting regulations issued by the Secretary under this subsection.

(2) The provisions of sections 307, 308, 309, 310, and 311 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1857, 1858, 1859, 1860, and 1861) regarding prohibited acts, civil penalties, criminal offenses, civil forfeitures, and enforcement shall apply with respect to regulations issued under this subsection as if such regulations were issued under the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 805. STATE IMPLEMENTATION OF COASTAL FISHERY MANAGEMENT PLANS.

(a) COASTAL FISHERY MANAGEMENT PLANS.—(1) The Commission shall prepare and adopt coastal fishery management plans to provide for the conservation of coastal fishery resources. In preparing a coastal fishery management plan for a fishery that is located in both State waters and the exclusive economic zone, the Commission shall consult with appropriate Councils to determine areas where such coastal fishery management plan may complement Council fishery management plans. The coastal fishery management plan shall specify the requirements necessary for States to be in compliance with the plan. Upon adoption of a coastal fishery management plan, the Commission shall identify each State that is required to implement and enforce that plan.

(2) Within 1 year after the date of enactment of this Act, the Commission shall establish standards and procedures to govern the preparation of coastal fishery management plans under this title, including standards and procedures to ensure that—

(A) such plans promote the conservation of fish stocks throughout their ranges and are based on the best scientific information available; and

(B) the Commission provides adequate opportunity for public participation in the plan preparation process, including at least four public hearings and procedures for the submission of written comments to the Commission.

(b) STATE IMPLEMENTATION AND ENFORCEMENT.—(1) Each State identified under subsection (a) with respect to a coastal fishery management plan shall implement and enforce the measures of such plan within the time frame established in the plan.

(2) Within 90 days after the date of enactment of this Act, the Commission shall establish a schedule of time frames within which States shall implement and enforce the measures of coastal fishery management plans in existence before such date of enactment. No such time frame shall exceed 12 months after the date on which the schedule is adopted.

(c) COMMISSION MONITORING OF STATE IMPLEMENTATION AND ENFORCEMENT.—The Commission shall, at least annually, review each State's implementation and enforcement of coastal fishery management plans for the purpose of determining whether such State is effectively implementing and enforcing each such plan. Upon completion of such reviews, the Commission shall report the results of the reviews to the Secretaries.

SEC. 806. STATE NONCOMPLIANCE WITH COASTAL FISHERY MANAGEMENT PLANS.

(a) NONCOMPLIANCE DETERMINATION.—The Commission shall determine that a State is not in compliance with the provisions of a coastal fishery management plan if it finds that the State has not implemented and enforced such plan within the time frames established under the plan or under section 805.

(b) NOTIFICATION.—Upon making any determination under subsection (a), the Commission shall within 10 working days notify the Secretaries of such determination. Such notification shall include the reasons for making the determination and an explicit list of actions that the affected State must take to comply with the coastal fishery management plan. The Commission shall provide a copy of the notification to the affected State.

(c) WITHDRAWAL OF NONCOMPLIANCE DETERMINATION.—After making a determination under subsection (a), the Commission shall continue to monitor State implementation and enforcement. Upon finding that a State has complied with the actions required under subsection (b), the Commission shall immediately withdraw its determination of noncompliance. The Commission shall promptly notify the Secretaries of such withdrawal.

SEC. 807. SECRETARIAL ACTION.

(a) SECRETARIAL REVIEW OF COMMISSION DETERMINATION OF NONCOMPLIANCE.—Within 30 days after receiving a notification from the Commission under section 806(b) and after review of the Commission's determination of noncompliance, the Secretary shall make a finding on—

(1) whether the State in question has failed to carry out its responsibility under section 805; and

(2) if so, whether the measures that the State has failed to implement and enforce are necessary for the conservation of the fishery in question.

(b) CONSIDERATION OF COMMENTS.—In making a finding under subsection (a), the Secretary shall—

(A) give careful consideration to the comments of the State that the Commission has determined under section 806(a) is not in compliance with a coastal fishery management plan, and provide such State, upon request, with the opportunity to meet with and present its comments directly to the Secretary; and

(B) solicit and consider the comments of the Commission and the appropriate Councils.

(c) MORATORIUM.—(1) Upon making a finding under subsection (a) that a State has failed to carry out its responsibility under section 805 and that the measures it failed to implement and enforce are necessary for conservation, the Secretary shall declare a moratorium on fishing in the fishery in question within the waters of the noncomplying State. The Secretary shall specify the moratorium's effective date, which shall be any date within 6 months after declaration of the moratorium.

(2) If after a moratorium is declared under paragraph (1) the Secretary is notified by the Commission that the Commission is withdrawing under section 806(c) the determination of noncompliance, the Secretary shall immediately determine whether the State is in compliance with the applicable plan. If so, the moratorium shall be terminated.

(d) IMPLEMENTING REGULATIONS.—The Secretary may issue regulations necessary to implement this section. Such regulations—

(1) may provide for the possession and use of fish which have been produced in an aquaculture operation, subject to applicable State regulations; and

(2) shall allow for retention of fish that are subject to a moratorium declared under this section and unavoidably taken as incidental catch in fisheries directed toward menhaden if—

(A) discarding the retained fish is impracticable;

(B) the retained fish do not constitute a significant portion of the catch of the vessel; and

(C) retention of the fish will not, in the judgment of the Secretary, adversely affect the conservation of the species of fish retained.

(e) PROHIBITED ACTS DURING MORATORIUM.—During the time in which a moratorium under this section is in effect, it is unlawful for any person to—

(1) violate the terms of the moratorium or of any implementing regulation issued under subsection (d);

(2) engage in fishing for any species of fish to which the moratorium applies within the waters of the State subject to the moratorium;

(3) land, attempt to land, or possess fish that are caught, taken, or harvested in violation of the moratorium or of any implementing regulation issued under subsection (d);

(4) fail to return to the water immediately, with a minimum of injury, any fish to which the moratorium applies that are taken incidental to fishing for species other than those to which the moratorium applies, except as provided by regulations issued under subsection (d);

(5) refuse to permit any officer authorized to enforce the provisions of this title to board a fishing vessel subject to such person's control for purposes of conducting any search or inspection in connection with the enforcement of this title;

(6) forcibly assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any research or inspection under this title;

(7) resist a lawful arrest for any act prohibited by this section;

(8) ship, transport, offer for sale, sell, purchase, import, or have custody, control, or possession of, any fish taken or retained in violation of this title; or

(9) interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that such other person has committed any act prohibited by this section.

(f) CIVIL AND CRIMINAL PENALTIES.—(1) Any person who commits any act that is unlawful under subsection (e) shall be liable to the United States for a civil penalty as provided by section 308 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1858).

(2) Any person who commits an act prohibited by paragraph (5), (6), (7), or (9) of subsection (e) is guilty of an offense punishable as provided by section 309(a)(1) and (b) of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1859(a)(1) and (b)).

(g) CIVIL FORFEITURES.—(1) Any vessel (including its gear, equipment, appurtenances, stores, and cargo) used, and any fish (or the fair market value thereof) taken or retained, in any manner, in connection with, or as the result of, the commission of any act that is unlawful under subsection (e), shall be subject to forfeiture to the United States as provided in section 310 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1860).

(2) Any fish seized pursuant to this title may be disposed of pursuant to the order of a court of competent jurisdiction or, if perishable, in a manner prescribed in regulation.

(h) ENFORCEMENT.—A person authorized by the Secretary or the Secretary of the department in which the Coast Guard is operating may take any action to enforce a moratorium declared under subsection (c) of this section that an officer authorized by the Secretary under section 311(b) of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1861(b)) may take to enforce that Act. The Secretary may, by agreement, on a reimbursable basis or otherwise, utilize the personnel, services, equipment (including aircraft and vessels), and facilities of any other Federal department or agency and of any agency of a State in carrying out that enforcement.

SEC. 808. FINANCIAL ASSISTANCE.

The Secretary and the Secretary of the Interior may provide financial assistance to the Commission and to the States to carry out their respective responsibilities under this title, including—

(1) the preparation, implementation, and enforcement of coastal fishery management plans; and

(2) State activities that are specifically required within such plans.

SEC. 809. AUTHORIZATION OF APPROPRIATIONS.

To carry out the provisions of this title, there are authorized to be appropriated $3,000,000 for fiscal year 1994, $5,000,000 for fiscal year 1995, and $7,000,000 for fiscal year 1996.

SEC. 810. ATLANTIC STRIPED BASS CONSERVATION ACT.

Section 9 of the Atlantic Striped Bass Conservation Act (16 U.S.C. 1851 note) is repealed.

SEC. 811. INTERJURISDICTIONAL FISHERIES ACT OF 1986.

Section 308(c) of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107(c)) is amended by inserting ", and $600,000 for each of the fiscal years 1994 and 1995," immediately after "and 1993".

TITLE IX—LIBERTY MEMORIAL

SEC. 901. SHORT TITLE.

This title may be cited as the "Liberty Memorial Act of 1993".

SEC. 902. CONVEYANCE VESSELS.

(a) AUTHORITY TO CONVEY.—The Secretary of Transportation may convey without consideration all right, title, and interest of the United States in two vessels described in subsection (b) to any nonprofit organization that operates and maintains a Liberty Ship or Victory Ship as a memorial to merchant mariners.

(b) VESSELS DESCRIBED.—Vessels that may be conveyed under subsection (a) are vessels that—

(1) are in the National Defense Reserve Fleet on the date of the enactment of this Act;

(2) are not less than 4,000 displacement tons;

(3) have no usefulness to the Government; and

(4) are scheduled to be scrapped.

(c) CONDITIONS OF CONVEYANCE.—As a condition of conveying any vessel to an organization under subsection (a), the Secretary of Transportation shall require that before the date of the conveyance, the organization shall enter into an agreement under which the organization shall—

(1) sell the vessel for scrap purposes;

(2) use the proceeds of that scapping for the purpose of refurbishing and making seaworthy a Liberty Ship or Victory Ship that the organization maintains as a memorial to merchant mariners, to enable the vessel to participate in 1994 in commemorative activities in conjunction with the 50th anniversary of the Normandy invasion; and

(3) return to the United States any proceeds of scrapping carried out pursuant to paragraph (1) that are not used in accordance with paragraph (2).

(d) DEPOSIT OF AMOUNTS RETURNED.—Amounts returned to the United States pursuant to subsection (c)(3) shall be deposited in the Vessel Operations Revolving Fund established under the Act of June 2, 1951 (46 App. U.S.C. 1241a).

(e) DELIVERY OF VESSELS.—The Secretary of transportation shall deliver each vessel conveyed under this section—

(1) at the place where the vessel is located on the date of the approval of the conveyance by the Secretary of Transportation.

(2) in its condition on the date; and

(3) without cost to the Government.

(f) EXPIRATION OF AUTHORITY TO CONVEY.—The authority of the Secretary of Transportation under this section to convey vessels shall expire on the date that is 2 years after the date of enactment of this Act.

On motion of Mr. STUDDS, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶140.50 NEW DEMOCRACIES IN FORMER SOVIET UNION

On motion of Mr. HAMILTON, by unanimous consent, the bill (H.R. 3000) for reform in emerging new democracies and support and help for improved partnership with Russia, Ukraine, and other new independent states of the former Soviet Union; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLES.

This Act may be cited as the ''Act For Reform In Emerging New Democracies and Support and Help for Improved Partnership with Russia, Ukraine, and Other New Independent States'' or as the ''FRIENDSHIP Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short titles.
Sec. 2. Table of contents.
Sec. 3. Definition.

TITLE I—POLICY OF FRIENDSHIP AND COOPERATION

Sec. 101. Statement of purpose.
Sec. 102. Findings.
Sec. 103. Statutory provisions that have been applicable to the Soviet Union.

TITLE II—TRADE AND BUSINESS RELATIONS

Sec. 201. Policy under Export Administration Act.
Sec. 202. Representation of countries of Eastern Europe and the Independent States of the former Soviet Union in legal commercial transactions.
Sec. 203. Procedures regarding transfers of certain Department of Defense-funded items.
Sec. 204. Soviet slave labor.

TITLE III—CULTURAL, EDUCATIONAL, AND OTHER EXCHANGE PROGRAMS

Sec. 301. Mutual Educational and Cultural Exchange Act of 1961.
Sec. 302. Soviet-Eastern European research and training.
Sec. 303. Fascell Fellowship Act.
Sec. 304. Board for International Broadcasting Act.
Sec. 305. Scholarship programs for developing countries.
Sec. 306. Report on Soviet participants in certain exchange programs.

TITLE IV—ARMS CONTROL

Sec. 401. Arms Control and Disarmament Act.
Sec. 402. Arms Export Control Act.
Sec. 403. Annual reports on arms control matters.
Sec. 404. United States/Soviet direct communication link.

TITLE V—DIPLOMATIC RELATIONS

Sec. 501. Personnel levels and limitations.
Sec. 502. Other provisions related to operation of embassies and consulates.
Sec. 503. Foreign Service Buildings Act.

TITLE VI—OCEANS AND THE ENVIRONMENT

Sec. 601. Arctic Research and Policy Act.
Sec. 602. Fur seal management.
Sec. 603. Global climate protection.

TITLE VII—REGIONAL AND GENERAL DIPLOMATIC ISSUES

Sec. 701. United Nations assessments.
Sec. 702. Soviet occupation of Afghanistan.
Sec. 703. Angola.
Sec. 704. Self determination of the people from the Baltic States.
Sec. 705. Obsolete references in Foreign Assistance Act.
Sec. 706. Review of United States policy toward the Soviet Union.

TITLE VIII—INTERNAL SECURITY; WORLDWIDE COMMUNIST CONSPIRACY

Sec. 801. Civil defense.
Sec. 802. Report on Soviet press manipulation in the United States.
Sec. 803. Subversive Activities Control Act.
Sec. 804. Report on Soviet and international communist behavior.

TITLE IX—MISCELLANEOUS

Sec. 901. Ballistic missile tests near Hawaii.
Sec. 902. Nondelivery of international mail.
Sec. 903. State-sponsored harassment of religious groups.
Sec. 904. Murder of Major Arthur Nicholson.
Sec. 905. Monument to honor victims of communism.

SEC. 3. DEFINITION.

As used in this Act (including the amendments made by this Act), the terms ''independent states of the former Soviet Union'' and ''independent states'' have the meaning given those terms by section 3 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5801).

TITLE I—POLICY OF FRIENDSHIP AND COOPERATION

SEC. 101. STATEMENT OF PURPOSE.

The purpose of this Act is to amend or repeal numerous statutory provisions that restrict or otherwise impede normal relations between the United States and the Russian Federation, Ukraine, and the other independent states of the former Soviet Union. All of the statutory provisions amended or repealed by this Act were relevant and appropriate at the time of enactment, but with the end of the Cold War, they have become obsolete. It is not the purpose of this Act to rewrite or erase history, or to forget those who suffered in the past from the injustices or repression of communist regimes in the Soviet Union, but rather to update United States law to reflect changed international circumstances and to demonstrate for reformers and democrats in the independent states of the former Soviet Union the resolve of the people of the United States to support the process of democratic and economic reform and to conduct business with those states in a new spirit of friendship and cooperation.

SEC. 102. FINDINGS.

The Congress finds and declares as follows:

(1) The Vancouver Declaration issued by President Clinton and President Yeltsin in April 1993 marked a new milestone in the development of the spirit of cooperation and partnership between the United States and Russia. The Congress affirms its support for the principles contained in the Vancouver Declaration.

(2) The Vancouver Declaration underscored that—

(A) a dynamic and effective partnership between the United States and Russia is vital to the success of Russia's historic transformation;

(B) the rapid integration of Russia into the community of democratic nations and the world economy is important to the national interest of the United States; and

(C) cooperation between the United States and Russia is essential to the peaceful resolution of international conflicts and the promotion of democratic values, the protection of human rights, and the solution of global problems such as environmental pollution, terrorism, and narcotics trafficking.

(3) The Congress enacted the FREEDOM Support Act (Public Law 102–511), as well as other legislation such as the Soviet Nuclear Threat Reduction Act of 1991 (title II of Public Law 102–228) and the Former Soviet Union Demilitarization Act of 1992 (title XIV of Public Law 102–484), to help meet the historic opportunities and challenges presented by the transformation that has taken place, and is continuing to take place, in what once was the Soviet Union.

(4) The process of reform in Russia, Ukraine, and the other independent states of the former Soviet Union is ongoing. The holding of a referendum in Russia on April 25, 1993, that was free and fair, and that reflected the support of the Russian people for the process of continued and strengthened democratic and economic reform, represents an important and encouraging hallmark in this ongoing process.

(5) There remain in force many United States laws that are relics of the Cold War, and repeals or revisions of these provisions can play an important role in efforts to foster and strengthen the bonds of trust and friendship, as well as mutually beneficial trade and economic relations, between the United States and Russia, the United States and Ukraine, and the United States and the other independent states of the former Soviet Union.

SEC. 103. STATUTORY PROVISIONS THAT HAVE BEEN APPLICABLE TO THE SOVIET UNION.

(a) IN GENERAL.—There are numerous statutory provisions that were enacted in the context of United States relations with a country, the Soviet Union, that are fundamentally different from the relations that now exist between the United States and Russia, between the United States and Ukraine, and between the United States and the other independent states of the former Soviet Union.

(b) EXTENT OF SUCH PROVISIONS.—Many of the provisions referred to in subsection (a) imposed limitations specifically with respect to the Soviet Union, and its constituent republics, or utilized language that reflected the tension that existed between the United States and the Soviet Union at the time of their enactment. Other such provisions did not refer specifically to the Soviet Union, but nonetheless were directed (or may be construed as having been directed) against the Soviet Union on the basis of the relations that formerly existed between the United States and the Soviet Union, particularly in its role as the leading communist country.

(c) FINDINGS AND AFFIRMATION.—The Congress finds and affirms that provisions such as those described in this section, including—

(1) section 216 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4316),

(2) sections 136 and 804 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99–93),

(3) section 1222 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 101 Stat. 1411),

(4) the Multilateral Export Control Enhancement Amendments Act (50 U.S.C. 2410 note, et seq.),

(5) the joint resolution providing for the designation of ''Captive Nations Week'' (Public Law 86–90),

(6) the Communist Control Act of 1954 (Public Law 83–637),

(7) provisions in the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), including sections 101(a)(40), 101(e)(3), and 313(a)(3),

(8) section 2 of the joint resolution entitled ''A joint resolution to promote peace and stability in the Middle East'', approved March 9, 1957 (Public Law 85–7), and

(9) section 43 of the Bretton Woods Agreements Act (22 U.S.C. 286aa),

should not be construed as being directed against Russia, Ukraine, or the other independent states of the former Soviet Union, connoting an adversarial relationship between the United States and the independent states, or signifying or implying in any manner unfriendliness toward the independent states.

TITLE II—TRADE AND BUSINESS RELATIONS

SEC. 201. POLICY UNDER EXPORT ADMINISTRATION ACT.

(a) CONFORMING AMENDMENTS.—Section 2 of the Export Administration Act of 1979 (50 U.S.C. App. 2401) is amended—

(1) by striking paragraph (11); and

(2) by redesignating paragraphs (12) and (13) as paragraphs (11) and (12), respectively.

(b) POLICY REGARDING KAL.—

(1) The Congress finds that—

(A) President Yeltsin should be commended for meeting personally with representatives of the families of the victims of the shootdown of Korean Airlines (KAL) Flight 7;

(B) President Yeltsin's Government has met on two separate occasions with United States Government and family members to answer questions associated with the shootdown and has arranged for the families to interview Russians involved in the incident or the search and rescue operations that followed;

(C) President Yeltsin's Government has also cooperated fully with the International Civil Aviation Organization (ICAO) to allow it to complete its investigation of the incident and has provided numerous materials requested by the ICAO, including radar data and so-called ''black boxes'', the digital flight data and cockpit voice recorders from the flight;

(D) the Export Administration Act of 1979 continues to state that the United States should continue to object to exceptions to the International Control List for the Union of Soviet Socialist Republics in light of the KAL tragedy, even though the ''no exceptions'' policy was rescinded by President Bush in 1990;

(E) the Government of the United States is seeking compensation from the Russian Government on behalf of the families of the KAL victims, and the Congress expects the Administration to continue to pursue issues related to the shootdown, including that of compensation, with officials at the highest level of the Russian Government; and

(F) in view of the cooperation provided by President Yeltsin and his government regarding the KAL incident and these other developments, it is appropriate to remove such language from the Export Administration Act of 1979.

(2) Section 3(15) of the Export Administration Act of 1979 (50 U.S.C. App. 2402(15)) is repealed.

SEC. 202. REPRESENTATION OF COUNTRIES OF EASTERN EUROPE AND THE INDEPENDENT STATES OF THE FORMER SOVIET UNION IN LEGAL COMMERCIAL TRANSACTIONS.

Section 951(e) of title 18, United States Code, is amended by striking ''the Soviet Union'' and all that follows through ''or Cuba'' and inserting ''Cuba or any other country that the President determines (and so reports to the Congress) poses a threat to the national security interest of the United States for purposes of this section''.

SEC. 203. PROCEDURES REGARDING TRANSFERS OF CERTAIN DEPARTMENT OF DEFENSE-FUNDED ITEMS.

(a) LIMITATION ON CERTAIN MILITARY TECHNOLOGY TRANSFERS.—(1) Section 223 of the National Defense Authorization Act for Fiscal Years 1988 and 1989 (10 U.S.C. 2431 note) is amended to read as follows:

''SEC. 223. LIMITATION ON TRANSFER OF CERTAIN MILITARY TECHNOLOGY TO INDEPENDENT STATES OF THE FORMER SOVIET UNION.

''Military technology developed with funds appropriated or otherwise made available for the Ballistic Missile Defense Program may not be transferred (or made available for transfer) to Russia or any other independent state of the former Soviet Union by the United States (or with the consent of the United States) unless the President determines, and certifies to the Congress at least 15 days prior to any such transfer, that such transfer is in the national interest of the United States and is to be made for the purpose of maintaining peace.''.

(2) Section 6 of that Act is amended by amending the item in the table of contents relating to section 223 to read as follows:

''Sec. 223. Limitation on transfer of certain military technology to independent states of the former Soviet Union.''.

(b) REPEAL OF OBSOLETE PROVISION.—Section 709 of the Department of Defense Appropriations Authorization Act, 1975 (50 U.S.C. App. 2403–1) is repealed.

SEC. 204. SOVIET SLAVE LABOR.

(a) REPEAL.—Section 1906 of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. 1307 note) is repealed.

(b) CONFORMING AMENDMENT.—Section 1(b) of that Act is amended by striking the item in the table of contents relating to section 1906.

TITLE III—CULTURAL, EDUCATIONAL, AND OTHER EXCHANGE PROGRAMS

SEC. 301. MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACT OF 1961.

The Mutual Educational and Cultural Exchange Act of 1961 is amended—

(1) in section 112(a)(8) (22 U.S.C. 2460(a)(8)), by striking ''Soviet Union'' both places it occurs and inserting ''independent states of the former Soviet Union''; and

(2) in section 113 (22 U.S.C. 2461)—

(A) by amending the section caption to read ''EXCHANGES BETWEEN THE UNITED STATES AND THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.—'';

(B) by striking ''an agreement with the Union of Soviet Socialist Republics'' and inserting ''agreements with the independent states of the former Soviet Union'';

(C) by striking ''made by the Soviet Union'' and inserting ''made by the independent states'';

(D) by striking ''and the Soviet Union'' and inserting ''and the independent states''; and

(E) by striking ''by Soviet citizens in the United States'' and inserting ''in the United States by citizens of the independent states''.

SEC. 302. SOVIET-EASTERN EUROPEAN RESEARCH AND TRAINING.

The Soviet-Eastern European Research and Training Act of 1983 (22 U.S.C. 4501–4508) is amended—

(1) by amending the title heading to read ''**TITLE VIII—RESEARCH AND TRAINING FOR EASTERN EUROPE AND THE INDEPENDENT STATES OF THE FORMER SOVIET UNION**'';

(2) in section 801, by striking ''Soviet-Eastern European Research and Training'' and inserting ''Research and Training for Eastern Europe and the Independent States of the Former Soviet Union'';

(3) in paragraphs (1), (2), and (3)(E) of section 802, by striking ''Soviet Union and Eastern European countries'' and inserting ''countries of Eastern Europe and the independent states of the former Soviet Union'';

(4) in section 803(2), by striking ''Soviet-Eastern European Studies Advisory Committee'' and inserting ''Advisory Committee for Studies of Eastern Europe and the Independent States of the Former Soviet Union'';

(5) in section 804—

(A) in the section heading by striking ''THE SOVIET-EASTERN EUROPEAN STUDIES'';

(B) in subsection (a), by striking ''Soviet-Eastern European Studies Advisory Committee'' and inserting ''Advisory Committee for Studies of Eastern Europe and the Independent States of the Former Soviet Union''; and

(C) in subsection (d), by striking ''Soviet and Eastern European countries'' and inserting ''the countries of Eastern Europe and the independent states of the former Soviet Union''; and

(6) in section 805(b)—

(A) in paragraphs (2)(A), (2)(B), and (6), by striking ''Soviet and Eastern European studies'' and inserting ''studies on the countries of Eastern Europe and the independent states of the former Soviet Union'';

(B) in paragraphs (3)(A) and (3)(B), by striking ''fields of Soviet and Eastern European studies and related studies'' and inserting ''independent states of the former Soviet Union and the countries of Eastern Europe and related fields'';

(C) in paragraph (3)(A) by striking ''the Soviet Union and Eastern European countries'' and inserting ''those states and countries'';

(D) in paragraph (4)—

(i) by striking ''Union of Soviet Socialist Republics'' the first place it appears and inserting ''independent states of the former Soviet Union'', and

(ii) by striking ''the Union of Soviet Socialist Republics and Eastern European countries'' and inserting ''those states and countries''; and

(E) in paragraph (5)—

(i) by striking everything in the first sentence following: ''support'' and inserting ''training in the languages of the independent states of the former Soviet Union and the countries of Eastern Europe.''; and

(ii) in the last sentence by inserting immediately before the period ''and, as appropriate, studies of other languages of the independent states of the former Soviet Union''.

SEC. 303. FASCELL FELLOWSHIP ACT.

Section 1002 of the Fascell Fellowship Act (22 U.S.C. 4901) is amended in the section heading by striking ''**IN THE SOVIET UNION AND EASTERN EUROPE**'' and inserting ''**ABROAD**''.

SEC. 304. BOARD FOR INTERNATIONAL BROADCASTING ACT.

(a) BALTIC DIVISION.—Section 307 of the Board for International Broadcasting Authorization Act, Fiscal Years 1984 and 1985 (Title III of Public Law 98–164; 97 Stat. 1037) is repealed.

(b) JAMMING OF BROADCASTS.—Section 308 of that Act (97 Stat. 1037) is amended—

(1) by striking ''(a) The'' and all that follows through ''(b) It'' and inserting ''It''; and

(2) by striking ''Government of the Soviet Union'' and inserting ''government of any country engaging in such activities''.

SEC. 305. SCHOLARSHIP PROGRAMS FOR DEVELOPING COUNTRIES.

Section 602 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 4702) is amended by striking paragraphs (6) and (7) and by redesignating paragraphs (8), (9), and (10) as paragraphs (6), (7), and (8), respectively.

SEC. 306. REPORT ON SOVIET PARTICIPANTS IN CERTAIN EXCHANGE PROGRAMS.

Section 126 of the Department of State Authorization Act, Fiscal Years 1982 and 1983 (Public Law 102–138; 96 Stat. 282) is repealed.

TITLE IV—ARMS CONTROL

SEC. 401. ARMS CONTROL AND DISARMAMENT ACT.

(a) REPORTS ON STANDING CONSULTATIVE COMMISSION ACTIVITIES.—Section 38 of the Arms Control and Disarmament Act (22 U.S.C. 2578) is amended by striking ''United States-Union of Soviet Socialist Republics''.

(b) LANGUAGE SPECIALISTS.—Section 51 of that Act (22 U.S.C. 2591) is amended—

(1) by amending the section heading to read ''SPECIALISTS FLUENT IN RUSSIAN OR OTHER LANGUAGES OF THE INDEPENDENT STATES OF THE FORMER SOVIET UNION'';

(2) by striking ''Soviet foreign and military policies'' and inserting ''the foreign and military policies of the independent states of the former Soviet Union''; and

(3) by inserting ''or another language of the independent states of the former Soviet Union'' after ''Russian language''.

(c) COMPLIANCE WITH AGREEMENTS.—Section 52 of that Act (22 U.S.C. 2592) is amended—

(1) in paragraph (1), by striking ''the Soviet Union'' both places it appears and inserting ''Russia'';

(2) in paragraph (3), by striking ''Soviet adherence'' and inserting ''Russian adherence'' and by striking ''the Soviet Union'' and inserting ''Russia''; and

(3) in paragraph (5), by striking ''the Soviet Union'' and inserting ''Russia''.

(d) ON-SITE INSPECTION AGENCY.—Section 61(4) of that Act (22 U.S.C. 2595(4)) is amended—

(1) in subparagraph (A), by striking ''the Soviet Union, Czechoslovakia, and the German Democratic Republic'' and inserting ''Russia, Ukraine, Kazakhstan, Belarus, Turkmenistan, Uzbekistan, the Czech Republic, and Germany'';

(2) in subparagraph (B), by striking ''Soviet'';

(3) in subparagraph (C), by striking ''the Soviet Union'' and inserting ''Russia''; and

(4) in subparagraph (D), by striking ''Soviet''.

SEC. 402. ARMS EXPORT CONTROL ACT.

The Arms Export Control Act is amended—

(1) in section 94(b)(3)(B) (22 U.S.C. 2799c(b)(3)(B)), by striking ''Warsaw Pact country'' and inserting ''country of the Eastern Group of States Parties''; and

(2) in section 95(5) (22 U.S.C. 2799d(5))—

(A) by striking ''Warsaw Pact country'' and inserting ''country of the Eastern Group of States Parties''; and

(B) by inserting before the period at the end ''or a successor state to such a country''.

SEC. 403. ANNUAL REPORTS ON ARMS CONTROL MATTERS.

(a) SOVIET COMPLIANCE WITH ARMS CONTROL COMMITMENTS.—(1) Section 1002 of the Department of Defense Authorization Act, 1986 (22 U.S.C. 2592a) is repealed.

(2) Section 1(b) of that Act is amended by striking the item in the table of contents relating to section 1002.

(b) ARMS CONTROL STRATEGY.—(1) Section 906 of the National Defense Authorization Act, Fiscal Year 1989 (22 U.S.C. 2592b) is repealed.

(2) Section 3 of that Act is amended by striking the item in the table of contents relating to section 906.

(c) ANTIBALLISTIC MISSILE CAPABILITIES AND ACTIVITIES OF THE SOVIET UNION.—(1) Section 907 of the National Defense Authorization Act, Fiscal Year 1989 (102 Stat. 2034) is repealed.

(2) Section 3 of that Act is amended by striking the item in the table of contents relating to section 907.

SEC. 404. UNITED STATES/SOVIET DIRECT COMMUNICATION LINK.

(a) CHANGING REFERENCES.—The joint resolution entitled ''Joint Resolution authorizing the Secretary of Defense to provide to the Soviet Union, on a reimbursable basis, equipment and services necessary for an improved United States/Soviet Direct Communication Link for crisis control,'' approved August 8, 1985 (10 U.S.C. 113 note) is amended—

(1) in the first section—

(A) by striking ''to the Soviet Union'' both places it appears and inserting ''to Russia''; and

(B) by striking ''Soviet Union part'' and inserting ''Russian part''; and

(2) in section 2(b), by striking ''the Soviet Union'' and inserting ''Russia''.

(b) SAVINGS PROVISION.—The amendment made by subsection (a)(2) does not affect the applicability of section 2(b) of that joint resolution to funds received from the Soviet Union.

TITLE V—DIPLOMATIC RELATIONS

SEC. 501. PERSONNEL LEVELS AND LIMITATIONS.

(a) PERSONNEL CEILING ON UNITED STATES AND SOVIET MISSIONS.—Section 602 of the Intelligence Authorization Act, Fiscal Year 1990 (Public Law 101–193; 103 Stat. 1710) is repealed.

(b) REPORT ON PERSONNEL OF SOVIET STATE TRADING ENTERPRISES.—(1) Section 154 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 101 Stat. 1353) is repealed.

(2) Section 1(b) of that Act is amended by striking the item in the table of contents relating to section 154.

(c) REPORT ON ADMISSION OF CERTAIN ALIENS.—Section 501 of the Intelligence Authorization Act, Fiscal Year 1988 (22 U.S.C. 254c–2) is repealed.

(d) SOVIET MISSION AT THE UNITED NATIONS.—Section 702 of the Intelligence Authorization Act for Fiscal Year 1987 (22 U.S.C. 287 note) is repealed.

(e) DIPLOMATIC EQUIVALENCE AND RECIPROCITY.—(1) Section 813 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99–93; 99 Stat. 455) is repealed.

(2) Section 1(b) of that Act is amended by striking the item in the table of contents relating to section 813.

SEC. 502. OTHER PROVISIONS RELATED TO OPERATION OF EMBASSIES AND CONSULATES.

(a) CONSTRUCTION OF DIPLOMATIC FACILITIES.—Section 132 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102–138; 105 Stat. 662) is amended—

(1) by repealing subsections (a) through (d) and subsections (h) through (j); and

(2) in subsection (e)—

(A) by striking ''(e) EXTRAORDINARY SECURITY SAFEGUARDS.—'';

(B) by striking ''(1) In'' and inserting ''(a) EXTRAORDINARY SECURITY SAFEGUARDS.—In'' and by striking ''(2) Such'' and inserting ''(b) SAFEGUARDS TO BE INCLUDED.—Such'';

(C) by setting subsections (a) and (b), as so redesignated, on a full measure margin; and

(D) in subsection (b), as so redesignated—

(i) by striking ''paragraph (1)'' and inserting ''subsection (a)''; and

(ii) by redesignating subparagraphs (A) through (E) as paragraphs (1) through (5), respectively, and by setting such redesignated paragraphs on a 2-em indention.

(b) POSSIBLE MOSCOW EMBASSY SECURITY BREACH.—(1) Section 133 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102–138; 105 Stat. 665) is repealed.

(2) Section 2 of that Act is amended by striking the item in the table of contents relating to section 133.

(c) UNITED STATES-SOVIET RECIPROCITY IN MATTERS RELATING TO EMBASSIES.—(1) Section 134 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4301 note) is repealed.

(2) Section 1(b) of that Act is amended by striking the item in the table of contents relating to section 134.

(d) REASSESSMENT OF SOVIET ELECTRONIC ESPIONAGE CAPABILITY FROM MOUNT ALTO EMBASSY SITE.—(1) Section 1232 of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 102 Stat. 2056) is repealed.

(2) Section 3 of that Act is amended by striking the item in the table of contents relating to section 1232.

(e) DIPLOMATIC RECIPROCITY.—(1) Sections 151 through 153 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 101 Stat. 1351) are repealed.

(2) Section 1(b) of that Act is amended by striking the items in the table of contents relating to sections 151 through 153.

(f) ELECTRONIC ESPIONAGE CAPABILITY FROM MOUNT ALTO EMBASSY SITE.—(1) Section 1122 of the National Defense Authorization Act for Fiscal Years 1988 and 1989 (Public Law 100–180; 101 Stat. 1149) is repealed.

(2) Section 6 of that Act is amended by striking the item in the table of contents relating to section 1122.

(g) ASSESSMENT OF SOVIET ELECTRONIC ESPIONAGE CAPABILITIES.—Section 901 of the Intelligence Authorization Act, Fiscal Year 1988 (Public Law 100–178; 101 Stat. 1017) is repealed.

(h) FOREIGN ESPIONAGE ACTIVITIES IN THE UNITED STATES.—Section 1364 of the National Defense Authorization Act for Fiscal Year 1987 (Public Law 99–661; 100 Stat. 4001) is amended by—

(1) repealing subsections (a) and (c); and

(2) striking ''(b) CONGRESSIONAL POLICY.—''.

SEC. 503. FOREIGN SERVICE BUILDINGS ACT.

Section 4(j) of the Foreign Service Buildings Act, 1926 (22 U.S.C. 295(j)) is repealed.

TITLE VI—OCEANS AND THE ENVIRONMENT

SEC. 601. ARCTIC RESEARCH AND POLICY ACT.

Section 102(a) of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4101(a)) is amended—

(1) in paragraph (2), by striking ''as'' and all that follows through the comma; and

(2) in paragraph (10), by striking '', particularly the Soviet Union,''.

SEC. 602. FUR SEAL MANAGEMENT.

The Act of November 2, 1966, commonly known as the Fur Seal Act of 1966, is amended—

(1) in section 101(h) (16 U.S.C. 1151(h)), by striking ''the Union of Soviet Socialist Republics'' and inserting ''Russia (except that as used in subsection (b) of this section, 'party' and 'parties' refer to the Union of Soviet Socialist Republics)''; and

(2) in section 102 (16 U.S.C. 1152), by striking ''the Union of Soviet Socialist Republics'' and inserting ''Russia''.

SEC. 603. GLOBAL CLIMATE PROTECTION.

The Global Climate Protection Act of 1987 (title XI of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989; 15 U.S.C. 2901 note) is amended—

(1) in section 1106—

(A) by striking ''**UNITED STATES-SOVIET RELATIONS**'' in the section heading and inserting ''**UNITED STATES RELATIONS WITH THE INDEPENDENT STATES OF THE FORMER SOVIET UNION**'';

(B) by striking ''Soviet Union'' and inserting ''independent states of the former Soviet Union'';

(C) by striking ''their joint role as the world's two major'' and inserting ''the extent to which they are''; and

(D) by striking ''United States-Soviet relations'' and inserting ''United States relations with the independent states''; and

(2) in section 1(b), in item in the table of contents relating to section 1106, by striking ''United States-Soviet relations'' and inserting ''United States relations with the independent states of the former Soviet Union''.

TITLE VII—REGIONAL AND GENERAL DIPLOMATIC ISSUES

SEC. 701. UNITED NATIONS ASSESSMENTS.

Section 717 of the International Security and Development Cooperation Act of 1981 (Public Law 97–113; 95 Stat. 1549) is amended—

(1) in the section heading by striking ''**OF THE SOVIET UNION**'';

(2) in subsection (a)—

(A) in paragraph (2), by inserting ''and'' after the semicolon;

(B) in paragraph (3) by striking ''; and'' and inserting a period; and

(C) by striking paragraph (4); and

(3) in subsection (b), by striking ''a diplomatic'' and all that follows through ''including its'', and inserting ''appropriate diplomatic initiatives to ensure that members of the United Nations make payments of all

their outstanding financial obligations to the United Nations, including their''.

SEC. 702. SOVIET OCCUPATION OF AFGHANISTAN.

(a) REPEAL.—Section 1241 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 101 Stat. 1420) is repealed.

(b) CONFORMING AMENDMENT.—Section 1(b) of that Act is amended by striking the item in the table of contents relating to section 1241.

SEC. 703. ANGOLA.

Section 405 of the International Security Assistance and Arms Export Control Act of 1976 (22 U.S.C. 2293 note) is repealed.

SEC. 704. SELF DETERMINATION OF THE PEOPLE FROM THE BALTIC STATES.

Paragraph (1) of section 1206 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 101 Stat. 1411) is amended by striking ''from the Soviet Union''.

SEC. 705. OBSOLETE REFERENCES IN FOREIGN ASSISTANCE ACT.

The Foreign Assistance Act of 1961 is amended—

(1) in section 501 (22 U.S.C. 2301)—

(A) in the second undesignated paragraph by striking ''international communism and the countries it controls'' and inserting ''hostile countries'';

(B) in the fourth undesignated paragraph, by striking ''Communist or Communist-supported''; and

(C) in the fifth undesignated paragraph, by striking everything following ''victims of'' and inserting ''aggression or in which the internal security is threatened by internal subversion inspired or supported by hostile countries.'';

(2) in section 614(a)(4)(C) (22 U.S.C. 2364(a)(4)(C)), by striking ''Communist or Communist-supported''; and

(3) in section 620(h) (22 U.S.C. 2370(h)), by striking ''the Communist-bloc countries'' and inserting ''any country that is a Communist country for purposes of subsection (f)''.

SEC. 706. REVIEW OF UNITED STATES POLICY TOWARD THE SOVIET UNION.

Section 24 of the International Security Assistance Act of 1978 (22 U.S.C. 2151 note) is repealed.

TITLE VIII—INTERNAL SECURITY; WORLDWIDE COMMUNIST CONSPIRACY

SEC. 801. CIVIL DEFENSE.

(a) IN GENERAL.—Except as provided in paragraph (2), section 501(b)(2) of the Federal Civil Defense Act of 1950 (50 U.S.C. App. 2301(b)) is amended by striking the first comma and all that follows through ''stability,''.

(b) EXCEPTION.—The amendment made by subsection (a) shall not apply if, before the date of enactment of this Act, title V of the Federal Civil Defense Act of 1950 has been repealed.

SEC. 802. REPORT ON SOVIET PRESS MANIPULATION IN THE UNITED STATES.

(a) REPEAL.—Section 147 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99–93; 99 Stat. 426) is repealed.

(b) CONFORMING AMENDMENT.—Section 1(b) of that Act is amended by striking the item in the table of contents relating to section 147.

SEC. 803. SUBVERSIVE ACTIVITIES CONTROL ACT.

The Subversive Activities Control Act of 1950 (50 U.S.C. 781 and following) is amended—

(1) by repealing sections 1 through 3, 5, 6, and 9 through 16; and

(2) in section 4—

(A) by repealing subsections (a) and (f);

(B) by redesignating subsections (b) through (e) as subsections (a) through (d), respectively;

(C) in subsection (a), as so redesignated, by striking ''or an officer'' and all that follows through ''section 3 of this title''; and

(D) in subsection (b), as so redesignated, by striking '', or any officer'' and all that follows through ''section 3 of this title,''.

SEC. 804. REPORT ON SOVIET AND INTERNATIONAL COMMUNIST BEHAVIOR.

(a) REPEAL.—Section 155 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99–93) is repealed.

(b) CONFORMING AMENDMENT.—Section 1(b) of that Act is amended by striking the item in the table of contents relating to section 155.

TITLE IX—MISCELLANEOUS

SEC. 901. BALLISTIC MISSILE TESTS NEAR HAWAII.

(a) REPEAL.—Section 1201 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 101 Stat. 1409) is repealed.

(b) CONFORMING AMENDMENT.—Section 1(b) of that Act is amended by striking the item in the table of contents relating to section 1201.

SEC. 902. NONDELIVERY OF INTERNATIONAL MAIL.

(a) REPEAL.—Section 1203 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 101 Stat. 1411) is repealed.

(b) CONFORMING AMENDMENT.—Section 1(b) of that Act is amended by striking the item in the table of contents relating to section 1203.

SEC. 903. STATE-SPONSORED HARASSMENT OF RELIGIOUS GROUPS.

(a) POLICY.—Section 1204 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 101 Stat. 1411) is amended—

(1) by amending the section heading to read ''**SEC. 1204. STATE SPONSORED HARASSMENT OF RELIGIOUS GROUPS.**'';

(2) in paragraph (1)—

(A) by striking ''governments of the Union'' and all that follows through ''countries'' and inserting ''government of any country that engages in the harassment of religious groups'', and

(B) by striking ''to the harassment of Christians and other religious believers'' and inserting ''to such activities'';

(3) in paragraph (2), by striking ''the Union of Soviet Socialist Republics and Eastern European'' and inserting ''all'' ; and

(4) by striking paragraph (3).

(b) REPEAL.—(1) Section 1202 of that Act (Public Law 100–204; 101 Stat. 1410) is repealed.

(2) Section 1(b) of that Act is amended—

(A) by striking the item in the table of contents relating to section 1202; and

(B) by amending the item in the table of contents relating to section 1204 to read as follows:

''Sec. 1204. State sponsored harassment of religious groups.''.

(c) REPEAL.—(1) Section 805 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99–93; 99 Stat. 450) is repealed.

(2) Section 1(b) of that Act is amended by striking the item in the table of contents relating to section 805.

SEC. 904. MURDER OF MAJOR ARTHUR NICHOLSON.

(a) FOREIGN RELATIONS AUTHORIZATION ACT.—Section 148 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99–93; 99 Stat. 427) is repealed.

(b) CONFORMING AMENDMENT TO TABLE OF CONTENTS.—Section 1(b) of that Act is amended by striking the item in the table of contents relating to section 148.

SEC. 905. MONUMENT TO HONOR VICTIMS OF COMMUNISM.

(a) FINDINGS.—Congress finds that—

(1) since 1917, the rulers of empires and international communism led by Vladimir I. Lenin and Mao Tse-tung have been responsible for the deaths of over 100,000,000 victims in an unprecedented imperial communist holocaust through conquests, revolutions, civil wars, purges, wars by proxy, and other violent means;

(2) the imperialist regimes of international communism have brutally suppressed the human rights, national independence, religious liberty, intellectual freedom, and cultural life of the peoples of over 40 captive nations;

(3) there is a danger that the heroic sacrifices of the victims of communism may be forgotten as international communism and its imperial bases continue to collapse and crumble; and

(4) the sacrifices of these victims should be permanently memorialized so that never again will nations and peoples allow so evil a tyranny to terrorize the world.

(b) AUTHORIZATION OF MEMORIAL.—

(1) AUTHORIZATION.—

(A) The National Captive Nations Committee, Inc., is authorized to construct, maintain, and operate in the District of Columbia an appropriate international memorial to honor victims of communism.

(B) The National Captive Nations Committee, Inc., is encouraged to create an independent entity for the purposes of constructing, maintaining, and operating the memorial.

(C) Once created, this entity is encouraged and authorized, to the maximum extent practicable, to include as active participants organizations representing all groups that have suffered under communism.

(2) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—The design, location, inscription, and construction of the memorial authorized by paragraph (1) shall be subject to the requirements of the Act entitled ''An Act to provide standards for placement of commemorative works on certain Federal lands in the District of Columbia and its environs, and for other purposes'', approved November 14, 1986 (40 U.S.C. 1001 et seq.).

(c) PAYMENT OF EXPENSES.—The entity referred to in subsection (b)(1) shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the memorial. No Federal funds may be used to pay any expense of the establishment of the memorial.

(d) DEPOSIT OF EXCESS FUNDS.—If, upon payment of all expenses of the establishment of the memorial, including the maintenance and preservation amount provided for in section 8(b) of the Act entitled ''An Act to provide standards for placement of commemorative works on certain Federal lands in the District of Columbia and its environs, and for other purposes'', approved November 14, 1986 (40 U.S.C. 1008(b)), or upon expiration of the authority for the memorial under section 10(b) of such Act (40 U.S.C. 4010(b)), there remains a balance of funds received for the establishment of the memorial, the entity referred to in subsection (b)(1) shall transmit the amount of the balance to the Secretary of the Treasury for deposit in the account provided for in section 8(b)(1) of such Act (40 U.S.C. 1008(b)(1)).

On motion of Mr. HAMILTON, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶140.51 BOSNIA

On motion of Mr. HAMILTON, by unanimous consent, the Committee on

Foreign Affairs was discharged from further consideration of the following concurrent resolution (H. Con. Res. 189):

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the United States, together with the international community, should make very appropriate effort to ensure that the people of Bosnia-Herzegovina have adequate medical supplies, food, and other humanitarian assistance during the winter of 1993-1994 in order to prevent a possible humanitarian disaster;

(2) the United States should support necessary and appropriate preparations to facilitate a relief effort in order to prevent a possible humanitarian disaster;

(3) all parties should cooperate with the provision of humanitarian assistance to those in need throughout the former Yugoslav republics, especially Bosnia-Herzegovina;

(4) the United States should provide similar assistance to the peoples endangered this winter throughout the former Yugoslav republics, especially the former Yugoslav Republic of Macedonia; and

(5) the United States should expend appropriated funds for such purposes as expeditiously as possible.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶140.52 INTERNATIONAL YEAR OF THE WORLD'S INDIGENOUS PEOPLES

On motion of Mr. HAMILTON, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 44):

Whereas United Nations Resolution 45/164 of December 18, 1990, proclaimed the year 1993 as the International Year of the World's Indigenous Peoples, in order to strengthen international cooperation for a solution to the problems faced by indigenous communities in areas such as human rights, the environment, development, education, and health;

Whereas indigenous peoples are descendants of the original inhabitants of many countries with diverse cultures, religions, languages, and social and economic customs;

Whereas an estimated 300 million indigenous peoples live in more than 70 countries, including the United States;

Whereas indigenous peoples are often disadvantaged and face common difficulties in their homelands, including issues such as self-determination, the preservation of land and natural resources, the preservation of culture, arts, and language, and dismal social and economic conditions;

Whereas many indigenous peoples continue to face discrimination and exploitation in their homelands;

Whereas the rights and social and economic conditions of indigenous peoples have often been overlooked by individual nations and the international community; and

Whereas the United Nations Working Group on Indigenous Populations has drafted a Declaration on the Rights of Indigenous Peoples: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) the United States should cooperate with the United Nations in its efforts to raise the level of public interest in and consciousness of the problems of indigenous peoples;

(2) the United States should address the rights and improve the social and economic conditions of its own indigenous peoples, including Native American Indians, Alaska Natives, Native Hawaiians, Chamorros, American Samoans, and Palauans;

(3) the United States should support the United Nations in its efforts to establish international standards on the rights of indigenous peoples; and

(4) the United States recognizes that the year 1993 is an insufficient time period for promoting public awareness of the plight of indigenous peoples and urges the United Nations to proclaim an International Decade of the World's Indigenous Peoples.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶140.53 FOOD STAMP PROGRAM

On motion of Mr. DE LA GARZA, by unanimous consent, the bill of the Senate (S. 1777) to extend the suspended implementation of certain requirements of the food stamp program on Indian reservations, to suspend certain eligibility requirements for the participation of retail food stores in the food stamp program, and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶140.54 ENROLLMENT CORRECTION—S. 1766

On motion of Mr. DE LA GARZA, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 56):

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the text of the bill (S. 1766) to amend the Lime Research, Promotion, and Consumer Information Act of 1990 to cover seedless and not seeded limes, to increase the exemption level, to delay the initial referendum date, and to alter the composition of the Lime Board, and for other purposes, the Secretary of the Senate shall make the following corrections:

In section 4(b)(1)—

(1) strike "'The Secretary'" and insert "'Members'"; and

(2) strike "'shall—'" and insert "'appointed—'".

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶140.55 HOUSING TECHNICAL AMENTMENT

On motion of Mr. GONZALEZ, by unanimous consent, the bill of the Senate (S. 1769) to make a technical correction, and for other purposes; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. GONZALEZ submitted the following amendment in the nature of a substitute which was agreed to:

Strike all after the enacting clause and insert the following:

SECTION 1. CDBG TECHNICAL AMENDMENT.

Notwithstanding any other provision of law, the city of Slidell, Louisiana may submit, not later than 10 days after the enactment of this Act, and the Secretary of Housing and Urban Development shall consider and accept, the final statement of community development objectives and projected use of funds required by section 104(a)(1) of the Housing and Community Development Act of 1974 in connection with a grant to the city of Slidell under title 1 of such Act for fiscal year 1994.

SEC. 2. INCREASE OF CDBG PUBLIC SERVICES CAP.

(A) IN GENERAL.—Section 105(a)(8) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(8)) is amended—

(1) by striking ''and'' after the penultimate comma; and

(2) by inserting before the semicolon at the end the following: '', and except that of any amount of assistance under this title (including program income) in fiscal year 1994 to the City of Pittsburgh, Pennsylvania, such city may use not more than 20 percent in each such fiscal year for activities under this paragraph''.

SEC. 3. CONVERSION PROJECTS.

(a) SECTION 23 CONVERSION.—

(1) AUTHORIZATION.—Notwithstanding contracts entered into pursuant to section 14(b)(2) of the United States Housing Act of 1937, the Secretary is authorized to enter into obligations for conversion of Leonard Terrace Apartments in Grand Rapids, Michigan, from a leasing housing contract under section 23 of such Act to a project-based rental assistance contract under section 8 of such Act.

(2) REPAYMENT REQUIRED.—The authorization made in paragraph (1) is conditioned on the repayment to the Secretary of all amounts received by the public housing agency under the comprehensive improvement assistance program under section 14 of the United States Housing Act of 1937 for the Leonard Terrace Apartment project and the amounts, as determined by the Secretary, received by the public housing agency under the formula in section 14(k) of such Act by reason of the project.

SEC. 4. EXCEPTION TO FIRE SAFETY REQUIREMENT FOR NEWLY CONSTRUCTED MULTIFAMILY PROPERTY.

In the case of any newly constructed multifamily property, as defined in section 31(c)(2)(A)(ii) of the Federal Fire Prevention and Control Act of 1974, in the city of New York in the State of New York, the requirement contained in section 31(c)(2)(A)(i) of the Federal Fire Prevention and Control Act of 1974 with respect to an automatic sprinkler system shall be deemed to be met if such property meets an equivalent level of safety (as defined in section 31(a)(3) of such Act).

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶140.56 GOVERNMENT SECURITIES MARKET

On motion of Mr. MARKEY, by unanimous consent, the bill of the Senate (S. 422) to amend the Securities Exchange Act of 1934 to ensure the efficient and fair operation of the government securities market, in order to protect investors and facilitate government borrowing at the lowest possible cost to taxpayers, and to prevent false and misleading statements in connection with offerings of government securities; together with the following amendment of the Senate to the amendments of the House thereto, was taken from the Speaker's table:

In lieu of the matter proposed to be inserted by the House amendment to the text of the bill, insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Government Securities Act Amendments of 1993''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
TITLE I—AMENDMENTS TO THE SECURITIES EXCHANGE ACT OF 1934
Sec. 101. Findings.
Sec. 102. Extension of government securities rulemaking authority.
Sec. 103. Transaction records.
Sec. 104. Large position reporting.
Sec. 105. Authority of the Commission to regulate transactions in exempted securities.
Sec. 106. Sales practice rulemaking authority.
Sec. 107. Market information.
Sec. 108. Disclosure by government securities brokers and government securities dealers whose accounts are not insured by the Securities Investor Protection Corporation.
Sec. 109. Technical amendments.
Sec. 110. Offerings of certain government securities.
Sec. 111. Rule of construction.
Sec. 112. Study of regulatory system for government securities.
TITLE II—REPORTS ON PUBLIC DEBT
Sec. 201. Annual report on public debt.
Sec. 202. Treasury auction reforms.
Sec. 203. Notice on Treasury modifications to auction process.
TITLE III—LIMITED PARTNERSHIP ROLLUPS
Sec. 301. Short title.
Sec. 302. Revision of proxy solicitation rules with respect to limited partnership rollup transactions.
Sec. 303. Rules of fair practice in rollup transactions.
Sec. 304. Effective date; effect on existing authority.

TITLE I—AMENDMENTS TO THE SECURITIES EXCHANGE ACT OF 1934

SEC. 101. FINDINGS.

The Congress finds that—

(1) the liquid and efficient operation of the government securities market is essential to facilitate government borrowing at the lowest possible cost to taxpayers;

(2) the fair and honest treatment of investors will strengthen the integrity and liquidity of the government securities market;

(3) rules promulgated by the Secretary of the Treasury pursuant to the Government Securities Act of 1986 have worked well to protect investors from unregulated dealers and maintain the efficiency of the government securities market; and

(4) extending the authority of the Secretary and providing new authority will ensure the continued strength of the government securities market.

SEC. 102. EXTENSION OF GOVERNMENT SECURITIES RULEMAKING AUTHORITY.

Section 15C of the Securities Exchange Act of 1934 (15 U.S.C. 78o–5) is amended by striking subsection (g).

SEC. 103. TRANSACTION RECORDS.

(a) AMENDMENT.—Section 15C(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–5(d)) is amended by adding at the end the following new paragraph:

''(3) GOVERNMENT SECURITIES TRADE RECONSTRUCTION.—

''(A) FURNISHING RECORDS.—Every government securities broker and government securities dealer shall furnish to the Commission on request such records of government securities transactions, including records of the date and time of execution of trades, as the Commission may require to reconstruct trading in the course of a particular inquiry or investigation being conducted by the Commission for enforcement or surveillance purposes. In requiring information pursuant to this paragraph, the Commission shall specify the information required, the period for which it is required, the time and date on which the information must be furnished, and whether the information is to be furnished directly to the Commission, to the Federal Reserve Bank of New York, or to an appropriate regulatory agency or self-regulatory organization with responsibility for examining the government securities broker or government securities dealer. The Commission may require that such information be furnished in machine readable form notwithstanding any limitation in subparagraph (B). In utilizing its authority to require information in machine readable form, the Commission shall minimize the burden such requirement may place on small government securities brokers and dealers.

''(B) LIMITATION; CONSTRUCTION.—The Commission shall not utilize its authority under this paragraph to develop regular reporting requirements, except that the Commission may require information to be furnished under this paragraph as frequently as necessary for particular inquiries or investigations for enforcement or surveillance purposes. This paragraph shall not be construed as requiring, or as authorizing the Commission to require, any government securities broker or government securities dealer to obtain or maintain any information for purposes of this paragraph which is not otherwise maintained by such broker or dealer in accordance with any other provision of law or usual and customary business practice. The Commission shall, where feasible, avoid requiring any information to be furnished under this paragraph that the Commission may obtain from the Federal Reserve Bank of New York.

''(C) PROCEDURES FOR REQUIRING INFORMATION.—At the time the Commission requests any information pursuant to subparagraph (A) with respect to any government securities broker or government securities dealer for which the Commission is not the appropriate regulatory agency, the Commission shall notify the appropriate regulatory agency for such government securities broker or government securities dealer and, upon request, furnish to the appropriate regulatory agency any information supplied to the Commission.

''(D) CONSULTATION.—Within 90 days after the date of enactment of this paragraph, and annually thereafter, or upon the request of any other appropriate regulatory agency, the Commission shall consult with the other appropriate regulatory agencies to determine the availability of records that may be required to be furnished under this paragraph and, for those records available directly from the other appropriate regulatory agencies, to develop a procedure for furnishing such records expeditiously upon the Commission's request.

''(E) EXCLUSION FOR EXAMINATION REPORTS.—Nothing in this paragraph shall be construed so as to permit the Commission to require any government securities broker or government securities dealer to obtain, maintain, or furnish any examination report of any appropriate regulatory agency other than the Commission or any supervisory recommendations or analysis contained in any such examination report.

''(F) AUTHORITY TO LIMIT DISCLOSURE OF INFORMATION.—Notwithstanding any other provision of law, the Commission and the appropriate regulatory agencies shall not be compelled to disclose any information required or obtained under this paragraph. Nothing in this paragraph shall authorize the Commission or any appropriate regulatory agency to withhold information from Congress, or prevent the Commission or any appropriate regulatory agency from complying with a request for information from any other Federal department or agency requesting information for purposes within the scope of its jurisdiction, or from complying with an order of a court of the United States in an action brought by the United States, the Commission, or the appropriate regulatory agency. For purposes of section 552 of title 5, United States Code, this subparagraph shall be considered a statute described in subsection (b)(3)(B) of such section 552.''.

(b) CONFORMING AMENDMENTS.—(1) Section 15C(a)(4) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–5(a)(4)) is amended by inserting '', other than subsection (d)(3),'' after ''subsection (a), (b), or (d) of this section''.

(2) Section 15C(f)(2) of such Act is amended—

(A) in the first sentence, by inserting '', other than subsection (d)(3)'', after ''threatened violation of the provisions of this section''; and

(B) in the second sentence, by inserting ''(except subsection (d)(3))'' after ''other than this section''.

SEC. 104. LARGE POSITION REPORTING.

Section 15C of the Securities Exchange Act of 1934 (15 U.S.C. 78o–5) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection:

''(f) LARGE POSITION REPORTING.—

''(1) REPORTING REQUIREMENTS.—The Secretary may adopt rules to require specified persons holding, maintaining, or controlling large positions in to-be-issued or recently issued Treasury securities to file such reports regarding such positions as the Secretary determines to be necessary and appropriate for the purpose of monitoring the impact in the Treasury securities market of concentrations of positions in Treasury securities and for the purpose of otherwise assisting the Commission in the enforcement of this title, taking into account any impact of such rules on the efficiency and liquidity of the Treasury securities market and the cost to taxpayers of funding the Federal debt. Unless otherwise specified by the Secretary, reports required under this subsection shall be filed with the Federal Reserve Bank of New York, acting as agent for the Secretary. Such reports shall, on a timely basis, be provided directly to the Commission by the person with whom they are filed.

''(2) RECORDKEEPING REQUIREMENTS.—Rules under this subsection may require persons

holding, maintaining, or controlling large positions in Treasury securities to make and keep for prescribed periods such records as the Secretary determines are necessary or appropriate to ensure that such persons can comply with reporting requirements under this subsection.

''(3) AGGREGATION RULES.—Rules under this subsection—

''(A) may prescribe the manner in which positions and accounts shall be aggregated for the purpose of this subsection, including aggregation on the basis of common ownership or control; and

''(B) may define which persons (individually or as a group) hold, maintain, or control large positions.

''(4) DEFINITIONAL AUTHORITY; DETERMINATION OF REPORTING THRESHOLD.—

''(A) In prescribing rules under this subsection, the Secretary may, consistent with the purpose of this subsection, define terms used in this subsection that are not otherwise defined in section 3 of this title.

''(B) Rules under this subsection shall specify—

''(i) the minimum size of positions subject to reporting under this subsection, which shall be no less than the size that provides the potential for manipulation or control of the supply or price, or the cost of financing arrangements, of an issue or the portion thereof that is available for trading;

''(ii) the types of positions (which may include financing arrangements) to be reported;

''(iii) the securities to be covered; and

''(iv) the form and manner in which reports shall be transmitted, which may include transmission in machine readable form.

''(5) EXEMPTIONS.—Consistent with the public interest and the protection of investors, the Secretary by rule or order may exempt in whole or in part, conditionally or unconditionally, any person or class or persons, or any transaction or class of transactions, from the requirements of this subsection.

''(6) LIMITATION ON DISCLOSURE OF INFORMATION.—Notwithstanding any other provision of law, the Secretary and the Commission shall not be compelled to disclose any information required to be kept or reported under this subsection. Nothing in this subsection shall authorize the Secretary or the Commission to withhold information from Congress, or prevent the Secretary or the Commission from complying with a request for information from any other Federal department or agency requesting information for purposes within the scope of its jurisdiction, or from complying with an order of a court of the United States in an action brought by the United States, the Secretary, or the Commission. For purposes of section 552 of title 5, United States Code, this paragraph shall be considered a statute described in subsection (b)(3)(B) of such section 552.''.

SEC. 105. AUTHORITY OF THE COMMISSION TO REGULATE TRANSACTIONS IN EXEMPTED SECURITIES.

(a) PREVENTION OF FRAUDULENT AND MANIPULATIVE ACTS AND PRACTICES.—Section 15(c)(2) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(c)(2)) is amended—

(1) by inserting ''(A)'' after ''(2)'';

(2) by striking ''fictitious quotation, and no municipal securities dealer'' and inserting the following:

''fictitious quotation.

''(B) No municipal securities dealer'';

(3) by striking ''fictitious quotation. The Commission shall'' and inserting the following:

''fictitious quotation.

''(C) No government securities broker or government securities dealer shall make use of the mails or any means or instrumentality of interstate commerce to effect any transaction in, or induce or attempt to induce the purchase or sale of, any government security in connection with which such government securities broker or government securities dealer engages in any fraudulent, deceptive, or manipulative act or practice, or makes any fictitious quotation.

''(D) The Commission shall''; and

(4) by adding at the end the following:

''(E) The Commission shall, prior to adopting any rule or regulation under subparagraph (C), consult with and consider the views of the Secretary of the Treasury and each appropriate regulatory agency. If the Secretary of the Treasury or any appropriate regulatory agency comments in writing on a proposed rule or regulation of the Commission under such subparagraph (C) that has been published for comment, the Commission shall respond in writing to such written comment before adopting the proposed rule. If the Secretary of the Treasury determines, and notifies the Commission, that such rule or regulation, if implemented, would, or as applied does (i) adversely affect the liquidity or efficiency of the market for government securities; or (ii) impose any burden on competition not necessary or appropriate in furtherance of the purposes of this section, the Commission shall, prior to adopting the proposed rule or regulation, find that such rule or regulation is necessary and appropriate in furtherance of the purposes of this section notwithstanding the Secretary's determination.''.

(b) FRAUDULENT AND MANIPULATIVE DEVICES AND CONTRIVANCES.—Section 15(c)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(c)(1)) is amended—

(1) by inserting ''(A)'' after ''(c)(1)'';

(2) by striking ''contrivance, and no municipal securities dealer'' and inserting the following:

''contrivance.

''(B) No municipal securities dealer'';

(3) by striking ''contrivance. The Commission shall'' and inserting the following:

''contrivance.

''(C) No government securities broker or government securities dealer shall make use of the mails or any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, any government security by means of any manipulative, deceptive, or other fraudulent device or contrivance.

''(D) The Commission shall''; and

(4) by adding at the end the following:

''(E) The Commission shall, prior to adopting any rule or regulation under subparagraph (C), consult with and consider the views of the Secretary of the Treasury and each appropriate regulatory agency. If the Secretary of the Treasury or any appropriate regulatory agency comments in writing on a proposed rule or regulation of the Commission under such subparagraph (C) that has been published for comment, the Commission shall respond in writing to such written comment before adopting the proposed rule. If the Secretary of the Treasury determines, and notifies the Commission, that such rule or regulation, if implemented, would, or as applied does (i) adversely affect the liquidity or efficiency of the market for government securities; or (ii) impose any burden on competition not necessary or appropriate in furtherance of the purposes of this section, the Commission shall, prior to adopting the proposed rule or regulation, find that such rule or regulation is necessary and appropriate in furtherance of the purposes of this section notwithstanding the Secretary's determination.''.

SEC. 106. SALES PRACTICE RULEMAKING AUTHORITY.

(a) RULES FOR FINANCIAL INSTITUTIONS.—Section 15C(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–5(b)) is amended—

(1) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (4), (5), (6), and (7), respectively; and

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

''(3)(A) With respect to any financial institution that has filed notice as a government securities broker or government securities dealer or that is required to file notice under subsection (a)(1)(B), the appropriate regulatory agency for such government securities broker or government securities dealer may issue such rules and regulations with respect to transactions in government securities as may be necessary to prevent fraudulent and manipulative acts and practices and to promote just and equitable principles of trade. If the Secretary of the Treasury determines, and notifies the appropriate regulatory agency, that such rule or regulation, if implemented, would, or as applied does (i) adversely affect the liquidity or efficiency of the market for government securities; or (ii) impose any burden on competition not necessary or appropriate in furtherance of the purposes of this section, the appropriate regulatory agency shall, prior to adopting the proposed rule or regulation, find that such rule or regulation is necessary and appropriate in furtherance of the purposes of this section notwithstanding the Secretary's determination.

''(B) The appropriate regulatory agency shall consult with and consider the views of the Secretary prior to approving or amending a rule or regulation under this paragraph, except where the appropriate regulatory agency determines that an emergency exists requiring expeditious and summary action and publishes its reasons therefor. If the Secretary comments in writing to the appropriate regulatory agency on a proposed rule or regulation that has been published for comment, the appropriate regulatory agency shall respond in writing to such written comment before approving the proposed rule or regulation.

''(C) In promulgating rules under this section, the appropriate regulatory agency shall consider the sufficiency and appropriateness of then existing laws and rules applicable to government securities brokers, government securities dealers, and persons associated with government securities brokers and government securities dealers.''.

(b) RULES BY REGISTERED SECURITIES ASSOCIATIONS.—

(1) REMOVAL OF LIMITATIONS ON AUTHORITY.—(A) Section 15A of the Securities Exchange Act of 1934 (15 U.S.C. 78o–3) is amended—

(i) by striking subsections (f)(1) and (f)(2); and

(ii) by redesignating subsection (f)(3) as subsection (f).

(B) Section 15A(g) of such Act is amended—

(i) by striking ''exempted securities'' in paragraph (3)(D) and inserting ''municipal securities'';

(ii) by striking paragraph (4); and

(iii) by redesignating paragraph (5) as paragraph (4).

(2) CONFORMING AMENDMENT.—

(A) Section 3(a)(12)(B)(ii) of such Act (15 U.S.C. 78c(a)(12)(B)(ii)) is amended by striking ''15, 15A (other than subsection (g)(3)), and 17A'' and inserting ''15 and 17A''.

(B) Section 15(b)(7) of such Act (15 U.S.C. 78o(b)(7)) is amended by inserting ''or government securities broker or government securities dealer registered (or required to register) under section 15C(a)(1)(A)'' after ''No registered broker or dealer''.

(c) OVERSIGHT OF REGISTERED SECURITIES ASSOCIATIONS.—Section 19 of the Securities Exchange Act of 1934 (15 U.S.C. 78s) is amended—

(1) in subsection (b), by adding at the end the following new paragraphs:

''(5) The Commission shall consult with and consider the views of the Secretary of the Treasury prior to approving a proposed rule filed by a registered securities association that primarily concerns conduct related to transactions in government securities, except where the Commission determines that an emergency exists requiring expeditious or summary action and publishes its reasons therefor. If the Secretary of the Treasury comments in writing to the Commission on a proposed rule that has been published for comment, the Commission shall respond in writing to such written comment before approving the proposed rule. If the Secretary of the Treasury determines, and notifies the Commission, that such rule, if implemented, would, or as applied does (i) adversely affect the liquidity or efficiency of the market for government securities; or (ii) impose any burden on competition not necessary or appropriate in furtherance of the purposes of this section, the Commission shall, prior to adopting the proposed rule, find that such rule is necessary and appropriate in furtherance of the purposes of this section notwithstanding the Secretary's determination.

''(6) In approving rules described in paragraph (5), the Commission shall consider the sufficiency and appropriateness of then existing laws and rules applicable to government securities brokers, government securities dealers, and persons associated with government securities brokers and government securities dealers.''; and

(2) in subsection (c), by adding at the end the following new paragraph:

''(5) With respect to rules described in subsection (b)(5), the Commission shall consult with and consider the views of the Secretary of the Treasury before abrogating, adding to, and deleting from such rules, except where the Commission determines that an emergency exists requiring expeditious or summary action and publishes its reasons therefor.''.

SEC. 107. MARKET INFORMATION.

Section 23(b)(4) of the Securities Exchange Act of 1934 (15 U.S.C. 78w) is amended—

(1) by striking subparagraphs (C), (D), and (H);

(2) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (C), (D), and (E), respectively;

(3) by redesignating subparagraphs (I), (J), and (K) as subparagraphs (F), (G), and (H), respectively;

(4) by striking ''and'' at the end of such redesignated subparagraph (G);

(5) by striking the period at the end of such redesignated subparagraph (H) and inserting ''; and''; and

(6) by inserting after such redesignated subparagraph (H) the following new subparagraph:

''(I) the steps that have been taken and the progress that has been made in promoting the timely public dissemination and availability for analytical purposes (on a fair, reasonable, and nondiscriminatory basis) of information concerning government securities transactions and quotations, and its recommendations, if any, for legislation to assure timely dissemination of (i) information on transactions in regularly traded government securities sufficient to permit the determination of the prevailing market price for such securities, and (ii) reports of the highest published bids and lowest published offers for government securities (including the size at which persons are willing to trade with respect to such bids and offers).''.

SEC. 108. DISCLOSURE BY GOVERNMENT SECURITIES BROKERS AND GOVERNMENT SECURITIES DEALERS WHOSE ACCOUNTS ARE NOT INSURED BY THE SECURITIES INVESTOR PROTECTION CORPORATION.

Section 15C(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–5(a)) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

''(4) No government securities broker or government securities dealer that is required to register under paragraph (1)(A) and that is not a member of the Securities Investor Protection Corporation shall effect any transaction in any security in contravention of such rules as the Commission shall prescribe pursuant to this subsection to assure that its customers receive complete, accurate, and timely disclosure of the inapplicability of Securities Investor Protection Corporation coverage to their accounts.''.

SEC. 109. TECHNICAL AMENDMENTS.

(a) AMENDMENTS TO DEFINITIONS.—Section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)) is amended—

(1) in paragraph (34)(G) (relating to the definition of appropriate regulatory agency), by amending clauses (ii), (iii), and (iv) to read as follows:

''(ii) the Board of Governors of the Federal Reserve System, in the case of a State member bank of the Federal Reserve System, a foreign bank, an uninsured State branch or State agency of a foreign bank, a commercial lending company owned or controlled by a foreign bank (as such terms are used in the International Banking Act of 1978), or a corporation organized or having an agreement with the Board of Governors of the Federal Reserve System pursuant to section 25 or section 25A of the Federal Reserve Act;

''(iii) the Federal Deposit Insurance Corporation, in the case of a bank insured by the Federal Deposit Insurance Corporation (other than a member of the Federal Reserve System or a Federal savings bank) or an insured State branch of a foreign bank (as such terms are used in the International Banking Act of 1978);

''(iv) the Director of the Office of Thrift Supervision, in the case of a savings association (as defined in section 3(b) of the Federal Deposit Insurance Act) the deposits of which are insured by the Federal Deposit Insurance Corporation;'';

(2) by amending paragraph (46) (relating to the definition of financial institution) to read as follows:

''(46) The term 'financial institution' means—

''(A) a bank (as defined in paragraph (6) of this subsection);

''(B) a foreign bank (as such term is used in the International Banking Act of 1978); and

''(C) a savings association (as defined in section 3(b) of the Federal Deposit Insurance Act) the deposits of which are insured by the Federal Deposit Insurance Corporation.''; and

(3) by redesignating paragraph (51) (as added by section 204 of the International Securities Enforcement Cooperation Act of 1990) as paragraph (52).

(b) EFFECTIVE DATE OF BROKER/DEALER REGISTRATION.—

(1) GOVERNMENT SECURITIES BROKERS AND DEALERS.—Section 15C(a)(2)(ii) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–5(a)(2)(ii)) is amended by inserting before ''The Commission may extend'' the following: ''The order granting registration shall not be effective until such government securities broker or government securities dealer has become a member of a national securities exchange registered under section 6 of this title, or a securities association registered under section 15A of this title, unless the Commission has exempted such government securities broker or government securities dealer, by rule or order, from such membership.''.

(2) OTHER BROKERS AND DEALERS.—Section 15(b)(1)(B) of such Act (15 U.S.C. 78o(b)(1)(B)) is amended by inserting before ''The Commission may extend'' the following: ''The order granting registration shall not be effective until such broker or dealer has become a member of a registered securities association, or until such broker or dealer has become a member of a national securities exchange if such broker or dealer effects transactions solely on that exchange, unless the Commission has exempted such broker or dealer, by rule or order, from such membership.''.

(c) INFORMATION SHARING.—Section 15C(d)(2) of such Act is amended to read as follows:

''(2) Information received by an appropriate regulatory agency, the Secretary, or the Commission from or with respect to any government securities broker, government securities dealer, any person associated with a government securities broker or government securities dealer, or any other person subject to this section or rules promulgated thereunder, may be made available by the Secretary or the recipient agency to the Commission, the Secretary, the Department of Justice, the Commodity Futures Trading Commission, any appropriate regulatory agency, any self-regulatory organization, or any Federal Reserve Bank.''.

SEC. 110. OFFERINGS OF CERTAIN GOVERNMENT SECURITIES.

Section 15(c) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(c)) is amended by adding at the end the following new paragraph:

''(7) In connection with any bid for or purchase of a government security related to an offering of government securities by or on behalf of an issuer, no government securities broker, government securities dealer, or bidder for or purchaser of securities in such offering shall knowingly or willfully make any false or misleading written statement or omit any fact necessary to make any written statement made not misleading.''.

SEC. 111. RULE OF CONSTRUCTION.

(a) IN GENERAL.—No provision of, or amendment made by, this title may be construed—

(1) to govern the initial issuance of any public debt obligation, or

(2) to grant any authority to (or extend any authority of) the Securities and Exchange Commission, any appropriate regulatory agency, or a self-regulatory organization—

(A) to prescribe any procedure, term, or condition of such initial issuance,

(B) to promulgate any rule or regulation governing such initial issuance, or

(C) to otherwise regulate in any manner such initial issuance.

(b) EXCEPTION.—Subsection (a) of this section shall not apply to the amendment made by section 110 of this Act.

(c) PUBLIC DEBT OBLIGATION.—For purposes of this section, the term ''public debt obligation'' means an obligation subject to the public debt limit established in section 3101 of title 31, United States Code.

SEC. 112. STUDY OF REGULATORY SYSTEM FOR GOVERNMENT SECURITIES.

(a) JOINT STUDY.—The Secretary of the Treasury, the Securities and Exchange Commission, and the Board of Governors of the Federal Reserve System shall—

(1) with respect to any rules promulgated or amended after October 1, 1991, pursuant to section 15C of the Securities Exchange Act of 1934 or any amendment made by this title,

and any national securities association rule changes applicable principally to government securities transactions approved after October 1, 1991—

(A) evaluate the effectiveness of such rules in carrying out the purposes of such Act; and

(B) evaluate the impact of any such rules on the efficiency and liquidity of the government securities market and the cost of funding the Federal debt;

(2) evaluate the effectiveness of surveillance and enforcement with respect to government securities, and the impact on such surveillance and enforcement of the availability of automated, time-sequenced records of essential information pertaining to trades in such securities; and

(3) submit to the Congress, not later than March 31, 1998, any recommendations they may consider appropriate concerning—

(A) the regulation of government securities brokers and government securities dealers;

(B) the dissemination of information concerning quotations for and transactions in government securities;

(C) the prevention of sales practice abuses in connection with transactions in government securities; and

(D) such other matters as they consider appropriate.

(b) TREASURY STUDY.—The Secretary of the Treasury, in consultation with the Securities and Exchange Commission, shall—

(1) conduct a study of—

(A) the identity and nature of the business of government securities brokers and government securities dealers that are registered with the Securities and Exchange Commission under section 15C of the Securities Exchange Act of 1934; and

(B) the continuing need for, and regulatory and financial consequences of, a separate regulatory system for such government securities brokers and government securities dealers; and

(2) submit to the Congress, not later than 18 months after the date of enactment of this Act, the Secretary's recommendations for change, if any, or such other recommendations as the Secretary considers appropriate.

TITLE II—REPORTS ON PUBLIC DEBT

SEC. 201. ANNUAL REPORT ON PUBLIC DEBT.

(a) GENERAL RULE.—Subchapter II of chapter 31 of title 31, United States Code, is amended by adding at the end the following new section:

"§ 3130. Annual public debt report

''(a) GENERAL RULE.—On or before June 1 of each calendar year after 1993, the Secretary of the Treasury shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate on—

''(1) the Treasury's public debt activities, and

''(2) the operations of the Federal Financing Bank.

''(b) REQUIRED INFORMATION ON PUBLIC DEBT ACTIVITIES.—Each report submitted under subsection (a) shall include the following information:

''(1) A table showing the following information with respect to the total public debt:

''(A) The past levels of such debt and the projected levels of such debt as of the close of the current fiscal year and as of the close of the next 5 fiscal years under the most recent current services baseline projection of the executive branch.

''(B) The past debt to GDP ratios and the projected debt to GDP ratios as of the close of the current fiscal year and as of the close of the next 5 fiscal years under such most recent current services baseline projection.

''(2) A table showing the following information with respect to the net public debt:

''(A) The past levels of such debt and the projected levels of such debt as of the close of the current fiscal year and as of the close of the next 5 fiscal years under the most recent current services baseline projection of the executive branch.

''(B) The past debt to GDP ratios and the projected debt to GDP ratios as of the close of the current fiscal year and as of the close of the next 5 fiscal years under such most recent current services baseline projection.

''(C) The interest cost on such debt for prior fiscal years and the projected interest cost on such debt for the current fiscal year and for the next 5 fiscal years under such most recent current services baseline projection.

''(D) The interest cost to outlay ratios for prior fiscal years and the projected interest cost to outlay ratios for the current fiscal year and for the next 5 fiscal years under such most recent current services baseline projection.

''(3) A table showing the maturity distribution of the net public debt as of the time the report is submitted and for prior years, and an explanation of the overall financing strategy used in determining the distribution of maturities when issuing public debt obligations, including a discussion of the projections and assumptions with respect to the structure of interest rates for the current fiscal year and for the succeeding 5 fiscal years.

''(4) A table showing the following information as of the time the report is submitted and for prior years:

''(A) A description of the various categories of the holders of public debt obligations.

''(B) The portions of the total public debt held by each of such categories.

''(5) A table showing the relationship of federally assisted borrowing to total Federal borrowing as of the time the report is submitted and for prior years.

''(6) A table showing the annual principal and interest payments which would be required to amortize in equal annual payments the level (as of the time the report is submitted) of the net public debt over the longest remaining term to maturity of any obligation which is a part of such debt.

''(c) REQUIRED INFORMATION ON FEDERAL FINANCING BANK.—Each report submitted under subsection (a) shall include (but not be limited to) information on the financial operations of the Federal Financing Bank, including loan payments and prepayments, and on the levels and categories of the lending activities of the Federal Financing Bank, for the current fiscal year and for prior fiscal years.

''(d) RECOMMENDATIONS.—The Secretary of the Treasury may include in any report submitted under subsection (a) such recommendations to improve the issuance and sale of public debt obligations (and with respect to other matters) as he may deem advisable.

''(e) DEFINITIONS.—For purposes of this section—

''(1) CURRENT FISCAL YEAR.—The term 'current fiscal year' means the fiscal year ending in the calendar year in which the report is submitted.

''(2) TOTAL PUBLIC DEBT.—The term 'total public debt' means the total amount of the obligations subject to the public debt limit established in section 3101 of this title.

''(3) NET PUBLIC DEBT.—The term 'net public debt' means the portion of the total public debt which is held by the public.

''(4) DEBT TO GDP RATIO.—The term 'debt to GDP ratio' means the percentage obtained by dividing the level of the total public debt or net public debt, as the case may be, by the gross domestic product.

''(5) INTEREST COST TO OUTLAY RATIO.—The term 'interest cost to outlay ratio' means, with respect to any fiscal year, the percentage obtained by dividing the interest cost for such fiscal year on the net public debt by the total amount of Federal outlays for such fiscal year.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 31 of title 31, United States Code, is amended by adding at the end the following new item:

''3130. Annual public debt report.''.

SEC. 202. TREASURY AUCTION REFORMS.

(a) ABILITY TO SUBMIT COMPUTER TENDERS IN TREASURY AUCTIONS.—By the end of 1995, any bidder shall be permitted to submit a computer-generated tender to any automated auction system established by the Secretary of the Treasury for the sale upon issuance of securities issued by the Secretary if the bidder—

(1) meets the minimum creditworthiness standard established by the Secretary; and

(2) agrees to comply with regulations and procedures applicable to the automated system and the sale upon issuance of securities issued by the Secretary.

(b) PROHIBITION ON FAVORED PLAYERS.—

(1) IN GENERAL.—No government securities broker or government securities dealer may receive any advantage, favorable treatment, or other benefit, in connection with the purchase upon issuance of securities issued by the Secretary of the Treasury, which is not generally available to other government securities brokers or government securities dealers under the regulations governing the sale upon issuance of securities issued by the Secretary of the Treasury.

(2) EXCEPTION.—

(A) IN GENERAL.—The Secretary of the Treasury may grant an exception to the application of paragraph (1) if—

(i) the Secretary determines that any advantage, favorable treatment, or other benefit referred to in such paragraph is necessary and appropriate and in the public interest; and

(ii) the grant of the exception is designed to minimize any anticompetitive effect.

(B) ANNUAL REPORT.—The Secretary of the Treasury shall submit an annual report to the Congress describing any exception granted by the Secretary under subparagraph (A) during the year covered by the report and the basis upon which the exception was granted.

(c) MEETINGS OF TREASURY BORROWING ADVISORY COMMITTEE.—

(1) OPEN MEETINGS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), any meeting of the Treasury Borrowing Advisory Committee of the Public Securities Association (hereafter in this subsection referred to as the ''advisory committee''), or any successor to the advisory committee, shall be open to the public.

(B) EXCEPTION.—Subparagraph (A) shall not apply with respect to any part of any meeting of the advisory committee in which the advisory committee—

(i) discusses and debates the issues presented to the advisory committee by the Secretary of the Treasury; or

(ii) makes recommendations to the Secretary.

(2) MINUTES OF EACH MEETING.—The detailed minutes required to be maintained under section 10(c) of the Federal Advisory Committee Act for any meeting by the advisory committee shall be made available to the public within 3 business days of the date of the meeting.

(3) PROHIBITION ON RECEIPT OF GRATUITIES OR EXPENSES BY ANY OFFICER OR EMPLOYEE OF THE BOARD OR DEPARTMENT.—In connection with any meeting of the advisory committee, no officer or employee of the Department of the Treasury, the Board of Governors of the Federal Reserve System, or any Federal reserve bank may accept any gratuity, consid-

eration, expense of any sort, or any other thing of value from any advisory committee described in subsection (c), any member of such committee, or any other person.

(4) PROHIBITION ON OUTSIDE DISCUSSIONS.—

(A) IN GENERAL.—Subject to subparagraph (B), a member of the advisory committee may not discuss any part of any discussion, debate, or recommendation at a meeting of the advisory committee which occurs while such meeting is closed to the public (in accordance with paragraph (1)(B)) with, or disclose the contents of such discussion, debate, or recommendation to, anyone other than—

(i) another member of the advisory committee who is present at the meeting; or

(ii) an officer or employee of the Department of the Treasury.

(B) APPLICABLE PERIOD OF PROHIBITION.—The prohibition contained in subparagraph (A) on discussions and disclosures of any discussion, debate, or recommendation at a meeting of the advisory committee shall cease to apply—

(i) with respect to any discussion, debate, or recommendation which relates to the securities to be auctioned in a midquarter refunding by the Secretary of the Treasury, at the time the Secretary makes a public announcement of the refunding; and

(ii) with respect to any other discussion, debate, or recommendation at the meeting, at the time the Secretary releases the minutes of the meeting in accordance with paragraph (2).

(C) REMOVAL FROM ADVISORY COMMITTEE FOR VIOLATIONS OF THIS PARAGRAPH.—In addition to any penalty or enforcement action to which a person who violates a provision of this paragraph may be subject under any other provision of law, the Secretary of the Treasury shall—

(i) remove a member of the advisory committee who violates a provision of this paragraph from the advisory committee and permanently bar such person from serving as a member of the advisory committee; and

(ii) prohibit any director, officer, or employee of the firm of which the member referred to in clause (i) is a director, officer, or employee (at the time the member is removed from the advisory committee) from serving as a member of the advisory committee at any time during the 5-year period beginning on the date of such removal.

(d) REPORT TO CONGRESS.—

(1) REPORT REQUIRED.—The Secretary of the Treasury shall submit an annual report to the Congress containing the following information with respect to material violations or suspected material violations of regulations of the Secretary relating to auctions and other offerings of securities upon the issuance of such securities by the Secretary:

(A) The number of inquiries begun by the Secretary during the year covered by the report regarding such material violations or suspected material violations by any participant in the auction system or any director, officer, or employee of any such participant and the number of inquiries regarding any such violations or suspected violations which remained open at the end of such year.

(B) A brief description of the nature of the violations.

(C) A brief description of any action taken by the Secretary during such year with respect to any such violation, including any referrals made to the Attorney General, the Securities and Exchange Commission, any other law enforcement agency, and any Federal banking agency (as defined in section 3 of the Federal Deposit Insurance Act).

(2) DELAY IN DISCLOSURE OF INFORMATION IN CERTAIN CASES.—The Secretary of the Treasury shall not be required to include in a report under paragraph (1) any information the disclosure of which could jeopardize an investigation by an agency described in paragraph (1)(C) for so long as such disclosure could jeopardize the investigation.

SEC. 203. NOTICE ON TREASURY MODIFICATIONS TO AUCTION PROCESS.

The Secretary of the Treasury shall notify the Congress of any significant modifications to the auction process for issuing United States Treasury obligations at the time such modifications are implemented.

TITLE III—LIMITED PARTNERSHIP ROLLUPS

SEC. 301. SHORT TITLE.

This title may be cited as the ''Limited Partnership Rollup Reform Act of 1993''.

SEC. 302. REVISION OF PROXY SOLICITATION RULES WITH RESPECT TO LIMITED PARTNERSHIP ROLLUP TRANSACTIONS.

(a) AMENDMENT.—Section 14 of the Securities Exchange Act of 1934 (15 U.S.C. 78n) is amended by adding at the end the following new subsection:

''(h) PROXY SOLICITATIONS AND TENDER OFFERS IN CONNECTION WITH LIMITED PARTNERSHIP ROLLUP TRANSACTIONS.—

''(1) PROXY RULES TO CONTAIN SPECIAL PROVISIONS.—It shall be unlawful for any person to solicit any proxy, consent, or authorization concerning a limited partnership rollup transaction, or to make any tender offer in furtherance of a limited partnership rollup transaction, unless such transaction is conducted in accordance with rules prescribed by the Commission under subsections (a) and (d) as required by this subsection. Such rules shall—

''(A) permit any holder of a security that is the subject of the proposed limited partnership rollup transaction to engage in preliminary communications for the purpose of determining whether to solicit proxies, consents, or authorizations in opposition to the proposed limited partnership rollup transaction, without regard to whether any such communication would otherwise be considered a solicitation of proxies, and without being required to file soliciting material with the Commission prior to making that determination, except that—

''(i) nothing in this subparagraph shall be construed to limit the application of any provision of this title prohibiting, or reasonably designed to prevent, fraudulent, deceptive, or manipulative acts or practices under this title; and

''(ii) any holder of not less than 5 percent of the outstanding securities that are the subject of the proposed limited partnership rollup transaction who engages in the business of buying and selling limited partnership interests in the secondary market shall be required to disclose such ownership interests and any potential conflicts of interests in such preliminary communications;

''(B) require the issuer to provide to holders of the securities that are the subject of the limited partnership rollup transaction such list of the holders of the issuer's securities as the Commission may determine in such form and subject to such terms and conditions as the Commission may specify;

''(C) prohibit compensating any person soliciting proxies, consents, or authorizations directly from security holders concerning such a limited partnership rollup transaction—

''(i) on the basis of whether the solicited proxy, consent, or authorization either approves or disapproves the proposed limited partnership rollup transaction; or

''(ii) contingent on the approval, disapproval, or completion of the limited partnership rollup transaction;

''(D) set forth disclosure requirements for soliciting material distributed in connection with a limited partnership rollup transaction, including requirements for clear, concise, and comprehensible disclosure with respect to—

''(i) any changes in the business plan, voting rights, form of ownership interest, or the compensation of the general partner in the proposed limited partnership rollup transaction from each of the original limited partnerships;

''(ii) the conflicts of interest, if any, of the general partner;

''(iii) whether it is expected that there will be a significant difference between the exchange values of the limited partnerships and the trading price of the securities to be issued in the limited partnership rollup transaction;

''(iv) the valuation of the limited partnerships and the method used to determine the value of the interests of the limited partners to be exchanged for the securities in the limited partnership rollup transaction;

''(v) the differing risks and effects of the limited partnership rollup transaction for investors in different limited partnerships proposed to be included, and the risks and effects of completing the limited partnership rollup transaction with less than all limited partnerships;

''(vi) the statement by the general partner required under subparagraph (E);

''(vii) such other matters deemed necessary or appropriate by the Commission;

''(E) require a statement by the general partner as to whether the proposed limited partnership rollup transaction is fair or unfair to investors in each limited partnership, a discussion of the basis for that conclusion, and an evaluation and a description by the general partner of alternatives to the limited partnership rollup transaction, such as liquidation;

''(F) provide that, if the general partner or sponsor has obtained any opinion (other than an opinion of counsel), appraisal, or report that is prepared by an outside party and that is materially related to the limited partnership rollup transaction, such soliciting materials shall contain or be accompanied by clear, concise, and comprehensible disclosure with respect to—

''(i) the analysis of the transaction, scope of review, preparation of the opinion, and basis for and methods of arriving at conclusions, and any representations and undertakings with respect thereto;

''(ii) the identity and qualifications of the person who prepared the opinion, the method of selection of such person, and any material past, existing, or contemplated relationships between the person or any of its affiliates and the general partner, sponsor, successor, or any other affiliate;

''(iii) any compensation of the preparer of such opinion, appraisal, or report that is contingent on the transaction's approval or completion; and

''(iv) any limitations imposed by the issuer on the access afforded to such preparer to the issuer's personnel, premises, and relevant books and records;

''(G) provide that, if the general partner or sponsor has obtained any opinion, appraisal, or report as described in subparagraph (F) from any person whose compensation is contingent on the transaction's approval or completion or who has not been given access by the issuer to its personnel and premises and relevant books and records, the general partner or sponsor shall state the reasons therefor;

''(H) provide that, if the general partner or sponsor has not obtained any opinion on the fairness of the proposed limited partnership rollup transaction to investors in each of the affected partnerships, such soliciting materials shall contain or be accompanied by a statement of such partner's or sponsor's reasons for concluding that such an opinion is not necessary in order to permit the limited

partners to make an informed decision on the proposed transaction;

''(I) require that the soliciting material include a clear, concise, and comprehensible summary of the limited partnership rollup transaction (including a summary of the matters referred to in clauses (i) through (vii) of subparagraph (D) and a summary of the matter referred to in subparagraphs (F), (G), and (H)), with the risks of the limited partnership rollup transaction set forth prominently in the fore part thereof;

''(J) provide that any solicitation or offering period with respect to any proxy solicitation, tender offer, or information statement in a limited partnership rollup transaction shall be for not less than the lesser of 60 calendar days or the maximum number of days permitted under applicable State law; and

''(K) contain such other provisions as the Commission determines to be necessary or appropriate for the protection of investors in limited partnership rollup transactions.

''(2) EXEMPTIONS.—The Commission may, consistent with the public interest, the protection of investors, and the purposes of this title, exempt by rule or order any security or class of securities, any transaction or class of transactions, or any person or class of persons, in whole or in part, conditionally or unconditionally, from the requirements imposed pursuant to paragraph (1) or from the definition contained in paragraph (4).

''(3) EFFECT ON COMMISSION AUTHORITY.—Nothing in this subsection limits the authority of the Commission under subsection (a) or (d) or any other provision of this title or precludes the Commission from imposing, under subsection (a) or (d) or any other provision of this title, a remedy or procedure required to be imposed under this subsection.

''(4) DEFINITION OF LIMITED PARTNERSHIP ROLLUP TRANSACTION.—Except as provided in paragraph (5), as used in this subsection, the term 'limited partnership rollup transaction' means a transaction involving the combination or reorganization of one or more limited partnerships, directly or indirectly, in which—

''(A) some or all of the investors in any of such limited partnerships will receive new securities, or securities in another entity, that will be reported under a transaction reporting plan declared effective before the date of enactment of this subsection by the Commission under section 11A;

''(B) any of the investors' limited partnership securities are not, as of the date of filing, reported under a transaction reporting plan declared effective before the date of enactment of this subsection by the Commission under section 11A;

''(C) investors in any of the limited partnerships involved in the transaction are subject to a significant adverse change with respect to voting rights, the term of existence of the entity, management compensation, or investment objectives; and

''(D) any of such investors are not provided an option to receive or retain a security under substantially the same terms and conditions as the original issue.

''(5) EXCLUSIONS FROM DEFINITION.—Notwithstanding paragraph (4), the term 'limited partnership rollup transaction' does not include—

''(A) a transaction that involves only a limited partnership or partnerships having an operating policy or practice of retaining cash available for distribution and reinvesting proceeds from the sale, financing, or refinancing of assets in accordance with such criteria as the Commission determines appropriate;

''(B) a transaction involving only limited partnerships wherein the interests of the limited partners are repurchased, recalled, or exchanged in accordance with the terms of the preexisting limited partnership agreements for securities in an operating company specifically identified at the time of the formation of the original limited partnership;

''(C) a transaction in which the securities to be issued or exchanged are not required to be and are not registered under the Securities Act of 1933;

''(D) a transaction that involves only issuers that are not required to register or report under section 12, both before and after the transaction;

''(E) a transaction, except as the Commission may otherwise provide by rule for the protection of investors, involving the combination or reorganization of one or more limited partnerships in which a non-affiliated party succeeds to the interests of a general partner or sponsor, if—

''(i) such action is approved by not less than 66⅔ percent of the outstanding units of each of the participating limited partnerships; and

''(ii) as a result of the transaction, the existing general partners will receive only compensation to which they are entitled as expressly provided for in the preexisting limited partnership agreements; or

''(F) a transaction, except as the Commission may otherwise provide by rule for the protection of investors, in which the securities offered to investors are securities of another entity that are reported under a transaction reporting plan declared effective before the date of enactment of this subsection by the Commission under section 11A, if—

''(i) such other entity was formed, and such class of securities was reported and regularly traded, not less than 12 months before the date on which soliciting material is mailed to investors; and

''(ii) the securities of that entity issued to investors in the transaction do not exceed 20 percent of the total outstanding securities of the entity, exclusive of any securities of such class held by or for the account of the entity or a subsidiary of the entity.''.

(b) SCHEDULE FOR REGULATIONS.—The Securities and Exchange Commission shall conduct rulemaking proceedings and prescribe final regulations under the Securities Act of 1933 and the Securities Exchange Act of 1934 to implement the requirements of section 14(h) of the Securities Exchange Act of 1934, as amended by subsection (a), and such regulations shall become effective not later than 12 months after the date of enactment of this Act.

(c) EVALUATION OF FAIRNESS OPINION PREPARATION, DISCLOSURE, AND USE.—

(1) EVALUATION REQUIRED.—The Comptroller General of the United States shall, within 18 months after the date of enactment of this Act, conduct a study of—

(A) the use of fairness opinions in limited partnership rollup transactions;

(B) the standards which preparers use in making determinations of fairness;

(C) the scope of review, quality of analysis, qualifications and methods of selection of preparers, costs of preparation, and any limitations imposed by issuers on such preparers;

(D) the nature and quality of disclosures provided with respect to such opinions;

(E) any conflicts of interest with respect to the preparation of such opinions; and

(F) the usefulness of such opinions to limited partners.

(2) REPORT REQUIRED.—Not later than the end of the 18-month period referred to in paragraph (1), the Comptroller General of the United States shall submit to the Congress a report on the evaluation required by paragraph (1).

SEC. 303. RULES OF FAIR PRACTICE IN ROLLUP TRANSACTIONS.

(a) REGISTERED SECURITIES ASSOCIATION RULE.—Section 15A(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–3(b)) is amended by adding at the end the following new paragraph:

''(12) The rules of the association to promote just and equitable principles of trade, as required by paragraph (6), include rules to prevent members of the association from participating in any limited partnership rollup transaction (as such term is defined in paragraphs (4) and (5) of section 14(h)) unless such transaction was conducted in accordance with procedures designed to protect the rights of limited partners, including—

''(A) the right of dissenting limited partners to one of the following:

''(i) an appraisal and compensation;

''(ii) retention of a security under substantially the same terms and conditions as the original issue;

''(iii) approval of the limited partnership rollup transaction by not less than 75 percent of the outstanding securities of each of the participating limited partnerships;

''(iv) the use of a committee that is independent, as determined in accordance with rules prescribed by the association, of the general partner or sponsor, that has been approved by a majority of the outstanding securities of each of the participating partnerships, and that has such authority as is necessary to protect the interest of limited partners, including the authority to hire independent advisors, to negotiate with the general partner or sponsor on behalf of the limited partners, and to make a recommendation to the limited partners with respect to the proposed transaction; or

''(v) other comparable rights that are prescribed by rule by the association and that are designed to protect dissenting limited partners;

''(B) the right not to have their voting power unfairly reduced or abridged;

''(C) the right not to bear an unfair portion of the costs of a proposed limited partnership rollup transaction that is rejected; and

''(D) restrictions on the conversion of contingent interests or fees into non-contingent interests or fees and restrictions on the receipt of a non-contingent equity interest in exchange for fees for services which have not yet been provided.

As used in this paragraph, the term 'dissenting limited partner' means a person who, on the date on which soliciting material is mailed to investors, is a holder of a beneficial interest in a limited partnership that is the subject of a limited partnership rollup transaction, and who casts a vote against the transaction and complies with procedures established by the association, except that for purposes of an exchange or tender offer, such person shall file an objection in writing under the rules of the association during the period in which the offer is outstanding.''.

(b) LISTING STANDARDS OF NATIONAL SECURITIES EXCHANGES.—Section 6(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78f(b)) is amended by adding at the end the following:

''(9) The rules of the exchange prohibit the listing of any security issued in a limited partnership rollup transaction (as such term is defined in paragraphs (4) and (5) of section 14(h)), unless such transaction was conducted in accordance with procedures designed to protect the rights of limited partners, including—

''(A) the right of dissenting limited partners to one of the following:

''(i) an appraisal and compensation;

''(ii) retention of a security under substantially the same terms and conditions as the original issue;

''(iii) approval of the limited partnership rollup transaction by not less than 75 percent of the outstanding securities of each of the participating limited partnerships;

''(iv) the use of a committee of limited partners that is independent, as determined in accordance with rules prescribed by the exchange, of the general partner or sponsor, that has been approved by a majority of the outstanding units of each of the participating limited partnerships, and that has such authority as is necessary to protect the interest of limited partners, including the authority to hire independent advisors, to negotiate with the general partner or sponsor on behalf of the limited partners, and to make a recommendation to the limited partners with respect to the proposed transaction; or

''(v) other comparable rights that are prescribed by rule by the exchange and that are designed to protect dissenting limited partners;

''(B) the right not to have their voting power unfairly reduced or abridged;

''(C) the right not to bear an unfair portion of the costs of a proposed limited partnership rollup transaction that is rejected; and

''(D) restrictions on the conversion of contingent interests or fees into non-contingent interests or fees and restrictions on the receipt of a non-contingent equity interest in exchange for fees for services which have not yet been provided.

As used in this paragraph, the term 'dissenting limited partner' means a person who, on the date on which soliciting material is mailed to investors, is a holder of a beneficial interest in a limited partnership that is the subject of a limited partnership rollup transaction, and who casts a vote against the transaction and complies with procedures established by the exchange, except that for purposes of an exchange or tender offer, such person shall file an objection in writing under the rules of the exchange during the period during which the offer is outstanding.''.

(c) STANDARDS FOR AUTOMATED QUOTATION SYSTEMS.—Section 15A(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–3(b)) is amended by adding at the end the following new paragraph:

''(13) The rules of the association prohibit the authorization for quotation on an automated interdealer quotation system sponsored by the association of any security designated by the Commission as a national market system security resulting from a limited partnership rollup transaction (as such term is defined in paragraphs (4) and (5) of section 14(h)), unless such transaction was conducted in accordance with procedures designed to protect the rights of limited partners, including—

''(A) the right of dissenting limited partners to one of the following:

''(i) an appraisal and compensation;

''(ii) retention of a security under substantially the same terms and conditions as the original issue;

''(iii) approval of the limited partnership rollup transaction by not less than 75 percent of the outstanding securities of each of the participating limited partnerships;

''(iv) the use of a committee that is independent, as determined in accordance with rules prescribed by the association, of the general partner or sponsor, that has been approved by a majority of the outstanding securities of each of the participating partnerships, and that has such authority as is necessary to protect the interest of limited partners, including the authority to hire independent advisors, to negotiate with the general partner or sponsor on behalf of the limited partners, and to make a recommendation to the limited partners with respect to the proposed transaction; or

''(v) other comparable rights that are prescribed by rule by the association and that are designed to protect dissenting limited partners;

''(B) the right not to have their voting power unfairly reduced or abridged;

''(C) the right not to bear an unfair portion of the costs of a proposed limited partnership rollup transaction that is rejected; and

''(D) restrictions on the conversion of contingent interests or fees into non-contingent interests or fees and restrictions on the receipt of a non-contingent equity interest in exchange for fees for services which have not yet been provided.

As used in this paragraph, the term 'dissenting limited partner' means a person who, on the date on which soliciting material is mailed to investors, is a holder of a beneficial interest in a limited partnership that is the subject of a limited partnership rollup transaction, and who casts a vote against the transaction and complies with procedures established by the association, except that for purposes of an exchange or tender offer, such person shall file an objection in writing under the rules of the association during the period during which the offer is outstanding.''.

SEC. 304. EFFECTIVE DATE; EFFECT ON EXISTING AUTHORITY.

(a) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by section 303 shall become effective 12 months after the date of enactment of this Act.

(2) RULEMAKING AUTHORITY.—Notwithstanding paragraph (1), the authority of the Securities and Exchange Commission, a registered securities association, and a national securities exchange to commence rulemaking proceedings for the purpose of issuing rules pursuant to the amendments made by section 303 is effective on the date of enactment of this Act.

(3) REVIEW OF FILINGS PRIOR TO EFFECTIVE DATE.—Prior to the effective date of regulations promulgated pursuant to this title, the Securities and Exchange Commission shall continue to review and declare effective registration statements and amendments thereto relating to limited partnership rollup transactions in accordance with applicable regulations then in effect.

(b) EFFECT ON EXISTING AUTHORITY.—The amendments made by this title shall not limit the authority of the Securities and Exchange Commission, a registered securities association, or a national securities exchange under any provision of the Securities Exchange Act of 1934, or preclude the Commission or such association or exchange from imposing, under any other such provision, a remedy or procedure required to be imposed under such amendments.

On motion of Mr. MARKEY, said Senate amendment to the House amendments was agreed to.

A motion to reconsider the vote whereby said Senate amendment to the House amendments was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶140.57 COPYRIGHT ROYALTY TRIBUNAL REFORM

On motion of Mr. BROOKS, by unanimous consent, the bill (H.R. 2840) to amend title 17, United States Code, to establish copyright arbitration royalty panels to replace the Copyright Royalty Tribunal, and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Copyright Royalty Tribunal Reform Act of 1993''.

SEC. 2. COPYRIGHT ARBITRATION ROYALTY PANELS.

(a) ESTABLISHMENT AND PURPOSE.—Section 801 of title 17, United States Code, is amended as follows:

(1) The section designation and heading are amended to read as follows:

''§ 801. Copyright arbitration royalty panels: Establishment and purpose''

(2) Subsection (a) is amended to read as follows:

''(a) ESTABLISHMENT.—The Librarian of Congress, upon the recommendation of the Register of Copyrights, is authorized to appoint and convene copyright arbitration royalty panels.''.

(3) Subsection (b) is amended—

(A) by inserting ''PURPOSES.—'' after ''(b)'';

(B) in the matter preceding paragraph (1), by striking ''Tribunal'' and inserting ''copyright arbitration royalty panels'';

(C) in paragraph (2)—

(i) in subparagraph (A), by striking ''Commission'' and inserting ''copyright arbitration royalty panels'';

(ii) in subparagraph (B), by striking ''Copyright Royalty Tribunal'' and inserting ''copyright arbitration royalty panels''; and

(iii) in subparagraph (D) by adding ''and'' after the semicolon;

(D) in paragraph (3)—

(i) by striking ''and 119(b),'' and inserting ''119(b), and 1003,''; and

(ii) by striking the sentence beginning with ''In determining'' through ''this title''; and

(E) by striking paragraph (4);

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

''(c) RULINGS.—The Librarian of Congress, upon the recommendation of the Register of Copyrights, may, before a copyright arbitration royalty panel is convened, make any necessary procedural or evidentiary rulings that would apply to the proceedings conducted by such panel.''; and

(5) by adding at the end the following new subsection:

''(d) ADMINISTRATIVE SUPPORT OF COPYRIGHT ARBITRATION ROYALTY PANELS.—The Library of Congress, upon recommendation of the Register of Copyrights, shall provide the copyright arbitration royalty panels with the necessary administrative services related to proceedings under this chapter.''.

(b) MEMBERSHIP AND PROCEEDINGS.—Section 802 of title 17, United States Code, is amended to read as follows:

''§ 802. Membership and proceedings of copyright arbitration royalty panels

''(a) COMPOSITION OF COPYRIGHT ARBITRATION ROYALTY PANELS.—A copyright arbitration royalty panel shall consist of 3 arbitrators selected by the Librarian of Congress pursuant to subsection (b).

''(b) SELECTION OF ARBITRATION PANEL.—Not later than 10 days after publication of a notice in the Federal Register initiating an arbitration proceeding under section 803, and in accordance with procedures specified by the Register of Copyrights, the Librarian of Congress shall, upon the recommendation of the Register of Copyrights, select 2 arbitrators from lists provided by professional arbitration associations. Qualifications of the arbitrators shall include experience in conducting arbitration proceedings and facilitating the resolution and settlement of disputes, and any qualifications which the Librarian of Congress, upon recommendation of the Register of Copyrights, shall adopt by regulation. The 2 arbitrators so selected shall, within 10 days after their selection, choose a third arbitrator from the same

lists, who shall serve as the chairperson of the arbitrators. If such 2 arbitrators fail to agree upon the selection of a third arbitrator, the Librarian of Congress shall promptly select the third arbitrator. The Librarian of Congress, upon recommendation of the Register of Copyrights, shall adopt regulations regarding standards of conduct which shall govern arbitrators and the proceedings under this chapter.

''(c) ARBITRATION PROCEEDINGS.—Copyright arbitration royalty panels shall conduct arbitration proceedings, subject to subchapter II of chapter 5 of title 5, United States Code, for the purpose of making their determinations in carrying out the purposes set forth in section 801. The arbitration panels shall act on the basis of a fully documented written record, prior decisions of the Copyright Royalty Tribunal, prior copyright arbitration panel determinations, and rulings by the Librarian of Congress under section 801(c). Any copyright owner who claims to be entitled to royalties under section 111, 116, or 119, or any interested copyright party who claims to be entitled to royalties under section 1006, may submit relevant information and proposals to the arbitration panels in proceedings applicable to such copyright owner or interested copyright party, and any other person participating in arbitration proceedings may submit such relevant information and proposals to the arbitration panel conducting the proceedings. In ratemaking proceedings, the parties to the proceedings shall bear the entire cost thereof in such manner and proportion as the arbitration panels shall direct. In distribution proceedings, the parties shall bear the cost in direct proportion to their share of the distribution.

''(d) PROCEDURES.—Effective on the date of the enactment of the Copyright Royalty Tribunal Reform Act of 1993, the Librarian of Congress shall adopt the rules and regulations set forth in chapter 3 of title 37 of the Code of Federal Regulations to govern proceedings under this chapter. Such rules and regulations shall remain in effect unless and until the Librarian, upon recommendation of the Register of Copyrights, adopts supplemental or superseding regulations under subchapter II of chapter 5 of title 5, United States Code.

''(e) REPORT TO THE LIBRARIAN OF CONGRESS.—Not later than 180 days after publication of the notice in the Federal Register initiating an arbitration proceeding, the copyright arbitration royalty panel conducting the proceeding shall report to the Librarian of Congress its determination concerning the royalty fee or distribution of royalty fees, as the case may be. Such report shall be accompanied by the written record, and shall set forth the facts that the arbitration panel found relevant to its determination.

''(f) ACTION BY LIBRARIAN OF CONGRESS.—Within 60 days after receiving the report of a copyright arbitration royalty panel under subsection (e), the Librarian of Congress, upon the recommendation of the Register of Copyrights, shall adopt or reject the determination of the arbitration panel. The Librarian shall adopt the determination of the arbitration panel unless the Librarian finds that the determination is arbitrary or contrary to the applicable provisions of this title. If the Librarian rejects the determination of the arbitration panel, the Librarian shall, before the end of that 60-day period, and after full examination of the record created in the arbitration proceeding, issue an order setting the royalty fee or distribution of fees, as the case may be. The Librarian shall cause to be published in the Federal Register the determination of the arbitration panel, and the decision of the Librarian (including an order issued under the preceding sentence). The Librarian shall also publicize such determination and decision in such other manner as the Librarian considers appropriate. The Librarian shall also make the report of the arbitration panel and the accompanying record available for public inspection and copying.

''(g) JUDICIAL REVIEW.—Any decision of the Librarian of Congress under subsection (f) with respect to a determination of an arbitration panel may be appealed, by any aggrieved party who would be bound by the determination, to the United States Court of Appeals for the District of Columbia Circuit, within 30 days after the publication of the decision in the Federal Register. If no appeal is brought within such 30-day period, the decision of the Librarian is final, and the royalty fee or determination with respect to the distribution of fees, as the case may be, shall take effect as set forth in the decision. The pendency of an appeal under this paragraph shall not relieve persons obligated to make royalty payments under sections 111, 115, 116, 118, 119, or 1003 who would be affected by the determination on appeal to deposit the statement of account and royalty fees specified in those sections. The court shall have jurisdiction to modify or vacate a decision of the Librarian only if it finds, on the basis of the record before the Librarian, that the Librarian acted in an arbitrary manner. If the court modifies the decision of the Librarian, the court shall have jurisdiction to enter its own determination with respect to the amount or distribution of royalty fees and costs, to order the repayment of any excess fees, and to order the payment of any underpaid fees, and the interest pertaining respectively thereto, in accordance with its final judgment. The court may further vacate the decision of the arbitration panel and remand the case to the Librarian for arbitration proceedings in accordance with subsection (c).

''(h) ADMINISTRATIVE MATTERS.—

''(1) DEDUCTION OF COSTS FROM ROYALTY FEES.—The Librarian of Congress and the Register of Copyrights may, to the extent not otherwise provided under this title, deduct from royalty fees deposited or collected under this title the reasonable costs incurred by the Library of Congress and the Copyright Office under this chapter. Such deduction may be made before the fees are distributed to any copyright claimants. If no royalty pool exists from which their costs can be deducted, the Librarian of Congress and the Copyright Office may assess their reasonable costs directly to the parties to the most recent relevant arbitration proceeding.

''(2) POSITIONS REQUIRED FOR ADMINISTRATION OF COMPULSORY LICENSING.—Section 307 of the Legislative Branch Appropriations Act, 1994, shall not apply to employee positions in the Library of Congress that are required to be filled in order to carry out section 111, 115, 116, 118, or 119 or chapter 10.''.

(c) PROCEDURES OF THE TRIBUNAL.—Section 803 of title 17, United States Code, and the item relating to such section in the table of sections at the beginning of chapter 8 of such title, are repealed.

(d) INSTITUTION AND CONCLUSION OF PROCEEDINGS.—Section 804 of title 17, United States Code, is amended as follows:

(1) The section heading is amended to read as follows:

''§ 803. Institution and conclusion of proceedings''.

(2) Subsection (a) is amended to read as follows:

''(a)(1) With respect to proceedings under section 801(b)(1) concerning the adjustment of royalty rates as provided in sections 115 and 116, and with respect to proceedings under subparagraphs (A) and (D) of section 801(b)(2), during the calendar years specified in the schedule set forth in paragraphs (2), (3), and (4), any owner or user of a copyrighted work whose royalty rates are specified by this title, established by the Copyright Royalty Tribunal before the date of the enactment of the Copyright Royalty Tribunal Reform Act of 1993, or established by a copyright arbitration royalty panel after such date of enactment, may file a petition with the Librarian of Congress declaring that the petitioner requests an adjustment of the rate. The Librarian of Congress shall, upon the recommendation of the Register of Copyrights, make a determination as to whether the petitioner has such a significant interest in the royalty rate in which an adjustment is requested. If the Librarian determines that the petitioner has such a significant interest, the Librarian shall cause notice of this determination, with the reasons therefor, to be published in the Federal Register, together with the notice of commencement of proceedings under this chapter.

''(2) In proceedings under section 801(b)(2)(A) and (D), a petition described in paragraph (1) may be filed during 1995 and in each subsequent fifth calendar year.

''(3) In proceedings under section 801(b)(1) concerning the adjustment of royalty rates as provided in section 115, a petition described in paragraph (1) may be filed in 1997 and in each subsequent tenth calendar year.

''(4)(A) in proceedings under section 801(b)(1) concerning the adjustment of royalty rates as provided in section 116, a petition described in paragraph (1) may be filed at any time within 1 year after negotiated licenses authorized by section 116 are terminated or expire and are not replaced by subsequent agreements.

''(B) If a negotiated license authorized by section 116 is terminated or expires and is not replaced by another such license agreement which provides permission to use a quantity of musical works not substantially smaller than the quantity of such works performed on coin-operated phono-record players during the 1-year period ending March 1, 1989, the Librarian of Congress shall, upon petition filed under paragraph (1) within 1 year after such termination or expiration, convene a copyright arbitration royalty panel. The arbitration panel shall promptly establish an interim royalty rate or rates for the public performance by means of a coin-operated phonorecord player of non-dramatic musical works embodied in phonorecords which had been subject to the terminated or expired negotiated license agreement. Such rate or rates shall be the same as the last such rate or rates and shall remain in force until the conclusion of proceedings by the arbitration panel, in accordance with section 802, to adjust the royalty rates applicable to such works, or until superseded by a new negotiated license agreement, as provided in section 116(b).''.

(3) Subsection (b) is amended—

(A) by striking ''subclause'' and inserting ''subparagraph'';

(B) by striking ''Tribunal'' the first place it appears and inserting ''Copyright Royalty Tribunal or the Librarian of Congress'';

(C) by striking ''Tribunal'' the second and third places it appears and inserting ''Librarian'';

(D) by striking ''Tribunal'' the last place it appears and inserting ''Copyright Royalty Tribunal or the Librarian of Congress''; and

(E) by striking ''(a)(2), above'' and inserting ''subsection (a) of this section''.

(4) Subsection (c) is amended by striking ''Tribunal'' and inserting ''Librarian of Congress''.

(5) Subsection (d) is amended—

(A) by striking ''Chairman of the Tribunal'' and inserting ''Librarian of Congress''; and

(B) by striking ''determination by the Tribunal'' and inserting ''a determination''.

(6) Subsection (e) is stricken out.

(e) REPEAL.—Sections 805 through 810 of title 17, United States Code, are repealed.

(f) CLERICAL AMENDMENT.—The table of sections for chapter 8 of title 17, United States Code, is amended to read as follows:

"CHAPTER 8—COPYRIGHT ROYALTY TRIBUNAL

''Sec.
''801. Copyright arbitration royalty panels: establishment and purpose.
''802. Membership and proceedings of copyright arbitration royalty panels.
''803. Institution and conclusion of proceedings.''.

SEC. 3. JUKEBOX LICENSES.

(a) REPEAL OF COMPULSORY LICENSE.—Section 116 of title 17, United States Code, and the item relating to section 116 in the table of sections at the beginning of chapter 1 of such title, are repealed.

(b) NEGOTIATED LICENSES.—Section 116A of title 17 United States Code, is amended—

(A) by redesignating such section as section 116;

(B) by striking subsection (b) and redesignating subsections (c) and (d) as subsections (b) and (c), respectively;

(C) in subsection (b)(2) (as so redesignated) by striking ''Copyright Royalty Tribunal'' each place it appears and inserting ''Librarian of Congress'';

(D) in subsection (c) (as so redesignated)—

(i) in the subsection caption by striking ''ROYALTY TRIBUNAL'' and inserting ''ARBITRATION ROYALTY PANEL'';

(ii) by striking ''subsection (c)'' and inserting ''subsection (b)''; and

(iii) by striking ''the Copyright Royalty Tribunal'' and inserting ''a copyright arbitration royalty panel''; and

(E) by striking subsections (e), (f), and (g).

(2) The table of sections at the beginning of chapter 1 of title 17, United States Code, is amended by striking ''116A'' and inserting ''116''.

SEC. 4. PUBLIC BROADCASTING COMPULSORY LICENSE.

Section 118 of title 17, United States Code, is amended—

(1) in subsection (b)—

(A) by striking the first 2 sentences;

(B) in the third sentence by striking ''works specified by this subsection'' and inserting ''published nondramatic musical works and published pictorial, graphic, and sculptural works'';

(C) in paragraph (1)—

(i) in the first sentence by striking '', within one hundred and twenty days after publication of the notice specified in this subsection,''; and

(ii) by striking ''Copyright Royalty Tribunal'' each place it appears and inserting ''Librarian of Congress'';

(D) in paragraph (2) by striking ''Tribunal'' and inserting ''Librarian of Congress'';

(E) in paragraph (3)—

(i) by striking the first sentence and inserting the following: ''In the absence of license agreements negotiated under paragraph (2), the Librarian of Congress shall, pursuant to chapter 8, convene a copyright arbitration royalty panel to determine and publish in the Federal Register a schedule of rates and terms which, subject to paragraph (2), shall be binding on all owners of copyright in works specified by this subsection and public broadcasting entities, regardless of whether such copyright owners have submitted proposals to the Librarian of Congress.'';

(ii) in the second sentence—

(I) by striking ''Copyright Royalty Tribunal'' and inserting ''copyright arbitration royalty panel''; and

(II) by striking ''clause (2) of this subsection'' and inserting ''paragraph (2)''; and

(iii) in the last sentence by striking ''Copyright Royalty Tribunal'' and inserting ''Librarian of Congress''; and

(F) by striking paragraph (4);

(2) in subsection (c)—

(A) by striking ''1982'' and inserting ''1997''; and

(B) by striking ''Copyright Royalty Tribunal'' and inserting ''Librarian of Congress'';

(3) in subsection (d)—

(A) by striking ''to the transitional provisions of subsection (b)(4), and'';

(B) by striking ''the Copyright Royalty Tribunal'' and inserting ''a copyright arbitration royalty panel'';

(C) in paragraphs (2) and (3) by striking ''clause'' each place it appears and inserting ''paragraph''; and

(4) in subsection (g) by striking ''clause'' and inserting ''paragraph''.

SEC. 5. SECONDARY TRANSMISSIONS OF SUPERSTATIONS AND NETWORK STATIONS FOR PRIVATE HOME VIEWING.

Section 119 of title 17, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1) by striking ''; after consultation with the Copyright Royalty Tribunal,'' each place it appears;

(B) in paragraph (2) by striking ''Copyright Royalty Tribunal'' and inserting ''Librarian of Congress'';

(C) in paragraph (3) by striking ''Copyright Royalty Tribunal'' and inserting ''Librarian of Congress''; and

(D) in paragraph (4)—

(i) by striking ''Copyright Royalty Tribunal'' each place it appears and inserting ''Librarian of Congress'';

(ii) by striking ''Tribunal'' each place it appears and inserting ''Librarian of Congress''; and

(iii) in subparagraph (B) by striking ''conduct a proceeding'' in the last sentence and inserting ''convene a copyright arbitration royalty panel''; and

(2) in subsection (c)—

(A) in the subsection caption by striking ''DETERMINATION'' and inserting ''ADJUSTMENT'';

(B) in paragraph (2) by striking ''Copyright Royalty Tribunal'' each place it appears and inserting ''Librarian of Congress'';

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) by striking ''Copyright Royalty Tribunal'' and inserting ''Librarian of Congress''; and

(II) by striking the last sentence and inserting the following: ''Such arbitration proceeding shall be conducted under chapter 8.'';

(ii) by striking subparagraphs (B) and (C);

(iii) in subparagraph (D)—

(I) by redesignating such subparagraph as subparagraph (B); and

(II) by striking ''Arbitration Panel'' and inserting ''copyright'' arbitration royalty panel appointed under chapter 8'';

(iv) by striking subparagraphs (E) and (F);

(v) by amending subparagraph (G) to read as follows:

''(C) PERIOD DURING WHICH DECISION OF ARBITRATION PANEL OR ORDER OF LIBRARIAN EFFECTIVE.—The obligation to pay the royalty fee established under a determination which—

''(i) is made by a copyright arbitration royalty panel in an arbitration proceeding under this paragraph and is adopted by the Librarian of Congress under section 802(e), or

''(ii) is established by the Librarian of Congress under section 802(e),

shall become effective as provided in section 802(f).''; and

(vi) in subparagraph (H)—

(I) by redesignating such subparagraph as subparagraph (D); and

(II) by striking ''adopted or ordered under subparagraph (F)'' and inserting ''referred to in subparagraph (C)''; and

(D) by striking paragraph (4).

SEC. 6. CONFORMING AMENDMENTS.

(a) CABLE COMPULSORY LICENSE.—Section 111(d) of title 17, United States Code, is amended as follows:

(1) Paragraph (1) is amended by striking '', after consultation with the Copyright Royalty Tribunal (if and when the Tribunal has been constituted),''.

(2) Paragraph (1)(A) is amended by striking '', after consultation with the Copyright Royalty Tribunal (if and when the Tribunal has been constituted),''.

(3) Paragraph (2) is amended by striking the second and third sentences and by inserting the following: ''All funds held by the Secretary of the Treasury shall be invested in interest-bearing United States securities for later distribution with interest by the Librarian of Congress in the event no controversy over distribution exists, or by a copyright arbitration royalty panel in the event a controversy over such distribution exists.''.

(4) Paragraph (4)(A) is amended—

(A) by striking ''Copyright Royalty Tribunal'' and inserting ''Librarian of Congress''; and

(B) by striking ''Tribunal'' and inserting ''Librarian of Congress''.

(5) Paragraph (4)(B) is amended to read as follows:

''(B) After the first day of August of each year, the Librarian of Congress shall, upon the recommendation of the Register of Copyrights, determine whether there exists a controversy concerning the distribution of royalty fees. If the Librarian determines that no such controversy exists, the Librarian shall, after deducting reasonable administrative costs under this section, distribute such fees to the copyright owners entitled to such fees, or to their designated agents. If the Librarian finds the existence of a controversy, the Librarian shall, pursuant to chapter 8 of this title, convene a copyright arbitration royalty panel to determine the distribution of royalty fees.''.

(6) Paragraph (4)(C) is amended by striking ''Copyright Royalty Tribunal'' and inserting ''Librarian of Congress''.

(b) AUDIO HOME RECORDING ACT.—

(1) ROYALTY PAYMENTS.—Section 1004(a)(3) of title 17, United States Code, is amended—

(A) by striking ''Copyright Royalty Tribunal'' and inserting ''Librarian of Congress''; and

(B) by striking ''Tribunal'' and inserting ''Librarian of Congress''.

(2) DEPOSIT OF ROYALTY PAYMENTS.—Section 1006 of title 17, United States Code, is amended by striking the last sentence.

(3) ENTITLEMENT TO ROYALTY PAYMENTS.—Section 1006(c) of title 17, United States Code, is amended by striking ''Copyright Royalty Tribunal'' and inserting ''Librarian of Congress shall convene a copyright arbitration royalty panel which''.

(4) PROCEDURES FOR DISTRIBUTING ROYALTY PAYMENTS.—Section 1007 of title 17, United States Code, is amended—

(A) in subsection (a)(1)—

(i) by striking ''Copyright Royalty Tribunal'' and inserting ''Librarian of Congress''; and

(ii) by striking ''Tribunal'' and inserting ''Librarian of Congress'';

(B) in subsection (b)—

(i) by striking ''Copyright Royalty Tribunal'' and inserting ''Librarian of Congress''; and

(ii) by striking ''Tribunal'' each place it appears and inserting ''Librarian of Congress'; and

(C) in subsection (c)—

(i) by striking the first sentence and inserting ''If the Librarian of Congress finds the existence of a controversy, the Librarian

shall, pursuant to chapter 8 of this title, convene a copyright arbitration royalty panel to determine the distribution of royalty payments.'';

(ii) by striking ''Tribunal'' each place it appears and inserting ''Librarian of Congress''; and

(iii) in the last sentence by striking ''its reasonable administrative costs'' and inserting ''the reasonable administrative costs incurred by the Librarian''.

(5) ARBITRATION OF CERTAIN DISPUTES.—Section 1010 of title 17, United States Code, is amended—

(A) in subsection (b)—

(i) by striking ''Copyright Royalty Tribunal'' and inserting ''Librarian of Congress''; and

(ii) by striking ''Tribunal'' each place it appears and inserting ''Librarian of Congress'';

(B) in subsection (e)—

(i) in the subsection caption by striking ''COPYRIGHT ROYALTY TRIBUNAL'' and inserting ''LIBRARIAN OF CONGRESS''; and

(ii) by striking Copyright Royalty Tribunal'' and inserting ''Librarian of Congress'';

(C) in subsection (f)—

(i) in the subsection caption by striking ''COPYRIGHT ROYALTY TRIBUNAL'' and inserting ''LIBRARIAN OF CONGRESS'';

(ii) by striking ''Copyright Royalty Tribunal'' and inserting ''Librarian of Congress'';

(iii) by striking ''Tribunal'' each place it appears and inserting ''Librarian of Congress''; and

(iv) in the third sentence by striking ''its'' and inserting ''the Librarian's''; and

(D) in subsection (g)—

(i) by striking ''Copyright Royalty Tribunal'' and inserting ''Librarian of Congress'';

(ii) by striking ''Tribunal's decision'' and inserting ''decision of the ''Librarian of Congress''; and

(iii) by striking ''Tribunal'' each place it appears and inserting ''Librarian of Congress''.

SEC. 7. EFFECTIVE DATE AND TRANSITION PROVISIONS.

(a) IN GENERAL.—This Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) EFFECTIVENESS OF EXISTING RATES AND DISTRIBUTIONS.—All royalty rates and all determinations with respect to the proportionate division of compulsory license fees among copyright claimants, whether made be the Copyright Royalty Tribunal, or by voluntary agreement, before the effective date set forth in subsection (a) shall remain in effect until modified by voluntary agreement or pursuant to the amendments made by this Act.

(c) TRANSFER OF APPROPRIATIONS.—All unexpended balances of appropriations made to the Copyright Royalty Tribunal, as of the effective date of this Act, are transferred on such effective date to the Copyright Office for use by the Copyright Office for the purposes for which such appropriations were made.

SEC. 8. LIMITATIONS ON PERFORMANCE OF LONGSHORE WORK BY ALIEN CREWMEMBERS—ALASKA EXCEPTION.

(a) ALASKA EXCEPTION.—Section 258 of the Immigration and Nationality Act (8 U.S.C. 1288) is amended—

(1) by redesignating subsection (d) as subsection (e); and

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

''(d) STATE OF ALASKA EXCEPTION.—(1) Subsection (a) shall not apply to a particular activity of longshore work at a particular location in the State of Alaska if an employer of alien crewmen has filed an attestation with the Secretary of Labor at least 30 days before the date of the first performance of the activity (or anytime up to 24 hours before the first performance of the activity, upon a showing that the employer could not have reasonably anticipated the need to file an attestation for that location at that time) setting forth facts and evidence to show that—

''(A) the employer will make a bona fide request for United States longshore workers who are qualified and available in sufficient numbers to perform the activity at the particular time and location from the parties to whom notice has been provided under clauses (ii) and (iii) of subparagraph (D), except that—

''(i) wherever two or more contract stevedoring companies have signed a joint collective bargaining agreement with a single labor organization described in subparagraph (D)(i), the employer may request longshore workers from only one of such contract stevedoring companies, and

''(ii) a request for longshore workers to an operator of a private dock may be made only for longshore work to be performed at that dock and only if the operator meets the requirements of section 32 of the Longshoremen's and Harbor Workers' Compensation Act (33 U.S.C. 932);

''(B) the employer will employ all those United States longshore workers made available in response to the request made pursuant to subparagraph (A) who are qualified and available in sufficient numbers and who are needed to perform the longshore activity at the particular time and location;

''(C) the use of alien crewmembers for such activity is not intended or designed to influence an election of a bargaining representative for workers in the State of Alaska; and

''(D) notice of the attestation has been provided by the employer to—

''(i) labor organizations which have been recognized as exclusive bargaining representatives of United States longshore workers within the meaning of the National Labor Relations Act and which make available or intend to make available workers to the particular location where the longshore work is to be performed,

''(ii) contract stevedoring companies which employ or intend to employ United States longshore workers at that location, and

''(iii) operators of private docks at which the employer will use longshore workers.

''(2)(A) An employer filing an attestation under paragraph (1) who seeks to use alien crewmen to perform longshore work shall be responsible while the attestation is valid to make bona fide requests for United States longshore workers under paragraph (1)(A) and to employ United States longshore workers, as provided in paragraph (1)(B), before using alien crewmen to perform the activity or activities specified in the attestation, except that an employer shall not be required to request longshore workers from a party if that party has notified the employer in writing that it does not intend to make available United States longshore workers to the location at which the longshore work is to be performed.

''(B) If a party that has provided such notice subsequently notifies the employer in writing that it is prepared to make available United States longshore workers who are qualified and available in sufficient numbers to perform the longshore activity to the location at which the longshore work is to be performed, then the employer's obligations to that party under subparagraphs (A) and (B) of paragraph (1) shall be 60 days following the issuance of such notice.

''(3)(A) In no case shall an employer filing an attestation be required—

''(i) to hire less than a full work unit of United States longshore workers needed to perform the longshore activity;

''(ii) to provide overnight accommodations for the longshore workers while employed; or

''(iii) to provide transportation to the place of work, except where—

''(I) surface transportation is available;

''(II) such transportation may be safely accomplished;

''(III) travel time to the vessel does not exceed one-half hour each way; and

''(IV) travel distance to the vessel from the point of embarkation does not exceed 5 miles.

''(B) In the cases of Wide Bay, Alaska, and Klawock/Craig, Alaska, the travel times and travel distances specified in subclauses (III) and (IV) of subparagraph (A) shall be extended to 45 minutes and 7.5 miles, respectively, unless the party responding to the request for longshore workers agrees to the lesser time and distance limitations specified in those subclauses.

''(4) Subject to subparagraphs (A) through (D) of subsection (c)(4), attestations filed under paragraph (1) of this subsection shall—

''(A) expire at the end of the 1-year period beginning on the date the employer anticipates the longshore work to begin, as specified in the attestation filed with the Secretary of Labor, and

''(B) apply to aliens arriving in the United States during such 1-year period if the owner, agent, consignee, master, or commanding officer states in each list under section 251 that it continues to comply with the conditions in the attestation.

''(5)(A) Except as otherwise provided by subparagraph (B), subsection (c)(3) and subparagraphs (A) through (E) of subsection (c)(4) shall apply to attestations filed under this subsection.

''(B) The use of alien crewmen to perform longshore work in Alaska consisting of the use of an automated self-unloading conveyor belt or vacuum-actuated system on a vessel shall be governed by the provisions of subsection (c).

''(6) For purposes of this subsection—

''(A) the term 'contract stevedoring companies' means those stevedoring companies licensed to do business in the State of Alaska that meet the requirements of section 32 of the Longshoremen's and Harbor Workers' Compensation Act (33 U.S.C. 932); and

''(B) the term 'employer' includes any agent or representative designated by the employer; and

''(C) the terms 'qualified' and 'available in sufficient numbers' shall be defined by reference to industry standards in the State of Alaska, including safety considerations.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 258(a) (8 U.S.C. 1288(a)) is amended by striking ''subsection (c) or subsection (d)'' and inserting ''subsection (c), (d), or (e)''.

(2) Section 258(c)(4)(A) (8 U.S.C. 1288(c)(4)(A)) is amended by inserting ''or subsection (d)(1)'' after ''paragraph (1)'' each of the two places it appears.

(3) Section 258(c) (8 U.S.C. 1288(c)) is amended by adding at the end the following new paragraph:

''(5) Except as provided in paragraph (5) of subsection (d), this subsection shall not apply to longshore work performed in the State of Alaska.''.

(c) IMPLEMENTATION.—(1) The Secretary of Labor shall prescribe such regulations as may be necessary to carry out this section.

(2) Attestations filed pursuant to section 258(c) (8 U.S.C. 1288(c)) with the Secretary of Labor before the date of enactment of this Act shall remain valid until 60 days after the date of issuance of final regulations by the Secretary under this section.

On motion of Mr. BROOKS, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶140.58 CHANGE OF REFERENCE—S. 1764

On motion of Mr. BROOKS, by unanimous consent, the Committee on Public Works and Transportation was discharged from further consideration of the bill of the Senate (S. 1764) to provide for the extension of certain authority for the Marshal of the Supreme Court and the Supreme Court Police.

When said bill was rereferred to the Committee on the Judiciary.

¶140.59 SUPREME COURT MARSHALS AND POLICE

On motion of Mr. BROOKS, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of the Senate (S. 1764) to provide for the extension of certain authority for the Marshal of the Supreme Court and the Supreme Court Police.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

When said bill, as amended, was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶140.60 ARBITRATION EXTENSION

On motion of Mr. BROOKS, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of the Senate (S. 1732) to extend arbitration under the provisions of chapter 44 of title 28, United States Code, and for other purposes.

Mr. BROOKS submitted the following amendment which was agreed to:

Add the following after section 1:

SEC. 2. TREATMENT OF EXPIRED PROVISIONS.

Chapter 44 of title 28, United States Code, and the item relating to that chapter in the table of chapters at the beginning of part III of such title, shall be effective on or after the date of the enactment of this Act as if such chapter and item had not been repealed by section 906 of the Judicial Improvements and Access to Justice Act, as such section was in effect on the day before the date of the enactment of this Act.

When said bill, as amended, was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶140.61 CLAYTON ACT

On motion of Mr. BROOKS, by unanimous consent, the bill of the Senate (S. 664) making a technical amendment of the Clayton Act; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶140.62 MESSAGE FROM THE PRESIDENT—RAILROAD RETIREMENT BOARD

The SPEAKER pro tempore, Mr. PAYNE of Virginia, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

I hereby submit to the Congress the Annual Report of the Railroad Retirement Board for Fiscal Year 1992, pursuant to the provisions of section 7(b)(6) of the Railroad Retirement Act and section 12(1) of the Railroad Unemployment Insurance Act.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *November 22, 1992.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Energy and Commerce and the Committee on Way and Means.

¶140.63 ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 898. An Act to authorize the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs.

H.R. 1425. An Act to improve the management, productivity, and use of Indian agricultural lands and resources.

H.R. 2330. An Act to authorize appropriations for fiscal year 1994 for the intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 3225. An Act to support the transition to nonracial democracy in South Africa.

H.R. 3318. An Act to amend title 5, United States Code, to provide for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles.

H.R. 3378. An Act to amend title 18, United States Code, with respect to parental kidnapping, and for other purposes.

H.R. 3471. An Act to authorize the leasing of naval vessels to certain foreign countries.

H.J. Res. 75. Joint resolution designating January 16, 1994, as ''National Good Teen Day.''

H.J. Res. 159. Joint resolution to designate the month of November in 1993 and 1994 as ''National Hospice Month.''

H.J. Res. 294. Joint resolution to express appreciation to W. Graham Claytor, Jr., for a lifetime of dedicated and inspired service to the Nation.

¶140.64 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 412. An Act to amend title 49, United States Code, relating to procedures for resolving claims involving unfiled, negotiated transportation rates, and for other purposes.

S. 1670. An Act to improve hazard mitigation and relocation assistance in connection with flooding, and for other purposes.

And then,

¶140.65 ADJOURNMENT

On motion of Mr. GEPHARDT, at 2 o'clock and 3 minutes a.m., Tuesday, November 23 (Legislative Day of Monday, November 22), 1993, the House adjourned.

¶140.66 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CONYERS: Committee on Government Operations. North American Free-Trade Agreement [NAFTA] Rules of Origin and Enforcement Issues (Rept. No. 103–407). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on Government Operations. Reimbursement of Defense Contractors' Environmental Cleanup Costs: Comprehensive Oversight Needed to Protect Taxpayers (Rept. No. 103–408). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on Government Operations. State Department Mismanagement of Overseas Embassies: Corrective Action Long Overdue (Rept. No. 103–409). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on Government Operations. Bank Regulation and Bank Lending to Small Business (Rept. No. 103–410). Referred to the Committee of the Whole House on the State of the Union.

Mr. GONZALEZ: Committee on Banking, Finance and Urban Affairs. H.R. 3063. A bill to authorize U.S. participation in the replenishment of the resources of the International Development Association and the Asian Development Bank, to authorize a U.S. contribution to the Global Environment Facility, to authorize the provision of special debt relief for the poorest, most heavily indebted countries through the multilateral approach of the Paris Club, and for other purposes; with an amendment (Rept. No. 103–411). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee of Conference. Conference report on H.R. 1025. A bill to provide for a waiting period before the purchase of a handgun, and for the establishment of a national instant criminal background check system to be contacted by firearms dealers before the transfer of any firearm (Rept. No. 103–412). Ordered to be printed.

¶140.67 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WAXMAN (for himself, Mr. SYNAR, Mr. WYDEN, Mr. DURBIN, and Mrs. SCHROEDER):

H.R. 3614. A bill to prescribe labels for packages and advertising for tobacco products, to restrict the advertising and promotion of tobacco products, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GONZALEZ (for himself, Mr. NEAL of North Carolina, and Mr. LEACH):

H.R. 3615. A bill to amend the Federal Deposit Insurance Act to require Federal Deposit Insurance Corporation approval for conversions of insured banks from mutual form to stock form, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. KENNEDY:

H.R. 3616. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the birth of Thomas Jefferson, Americans who have been prisoners of war, the Vietnam Veterans Memorial on the occasion of the 10th anniversary of the memorial, and the Women in Military Service for America Memorial, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. SHAW (for himself and Mr. DEUTSCH):

H.R. 3617. A bill to amend the Everglades National Park Protection and Expansion Act of 1989, and for other purposes; to the Committee on Natural Resources.

By Mr. WYDEN (for himself and Ms. FURSE):

H.R. 3618. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to exempt from preemption thereunder certain provisions of law of the State of Oregon relating to the Oregon Health Plan; to the Committee on Education and Labor.

By Mr. ANDREWS of Texas (for himself, Mr. SUNDQUIST, and Mr. KOPETSKI):

H.R. 3619. A bill to amend the Revenue Act of 1987 to provide a permanent extension of the transition rule for certain publicly traded partnerships; to the Committee on Ways and Means.

By Mr. UPTON:

H.R. 3620. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and for other purposes; jointly, to the Committees on Energy and Commerce, Public Works and Transportation, and Ways and Means.

By Mr. BACHUS of Alabama:

H.R. 3621. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for costs incurred to cleanup contaminated property; to the Committee on Ways and Means.

By Mr. BAKER of California:

H.R. 3622. A bill to repeal the must-carry provisions of the title VI of the Communications Act of 1934, relating to cable television; to the Committee on Energy and Commerce.

By Mr. BARCIA of Michigan (for himself and Mr. DINGELL):

H.R. 3623. A bill to amend the Federal Crop Insurance Act to establish a pilot program to evaluate the feasibility of including crop insurance based on costs of production among the types of crop insurance available under the act; to the Committee on Agriculture.

By Mr. BOUCHER (for himself and Mr. UPTON):

H.R. 3624. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to establish a program for assigning shares of liability to liable parties at Superfund sites, and for other purposes; jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

By Mr. BROWN of California:

H.R. 3625. A bill to renew and improve the operation of title V of the Trade Act of 1974 (relating to the Generalized System of Preferences); to the Committee on Ways and Means.

By Mr. BROOKS (for himself and Mr. DINGELL):

H.R. 3626. A bill to supersede the modification of final judgment entered August 24, 1982, in the antitrust action styled U.S. v. Western Electric, civil action No. 82–0192, U.S. District Court for the District of Columbia; to amend the Communications Act of 1934 to regulate the manufacturing of Bell operating companies, and for other purposes; jointly, to the Committees on the Judiciary and Energy and Commerce.

By Ms. CANTWELL (for herself and Mr. MANZULLO):

H.R. 3627. A bill to amend the Export Administration Act of 1979 with respect to the control of computers and related equipment; to the Committee on Foreign Affairs.

By Mr. CHAPMAN:

H.R. 3628. A bill to establish the Regulatory Sunset Commission to review regulations of executive agencies, and to provide for the automatic termination of regulations that are not authorized by the Commission to continue in effect; jointly, to the Committees on the Judiciary and Government Operations.

By Mr. COPPERSMITH (for himself, Mr. CUNNINGHAM, Mr. KREIDLER, Mr. STENHOLM, Mr. FINGERHUT, Mr. CANADY, Mr. CRANE, Mr. MCCANDLESS, Mr. POSHARD, Mr. EWING, Mr. ARCHER, Mr. HOCHBRUECKNER, Mr. TAYLOR of Mississippi, Mr. GENE GREEN of Texas, Mr. LANCASTER, Mr. KINGSTON, and Mr. GALLEGLY):

H.R. 3629. A bill to rescind appropriations for the U.S. Postal Service in an amount equal to the amount expended by the Postal Service in the design and implementation of its new corporate logo; to the Committee on Appropriations.

By Mr. COYNE (for himself, Mr. CARDIN, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. HOAGLAND, Mr. KOPETSKI, Mr. JEFFERSON, Mr. BREWSTER, Mr. SHAW, and Mr. SUNDQUIST):

H.R. 3630. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of tax-exempt bonds; to the Committee on Ways and Means.

By Mr. COYNE (for himself, Mr. JACOBS, Mr. NEAL of Massachusetts, Mr. HOAGLAND, and Mr. BREWSTER):

H.R. 3631. A bill to amend the Internal Revenue Code of 1986 to provide nonrecognition treatment for certain transfers by common trust funds to regulated investment companies; to the Committee on Ways and Means.

By Mr. COYNE (for himself and Mr. STARK):

H.R. 3632. A bill to require the mandatory reporting of deaths resulting from errors in the prescribing, dispensing, and administration of drugs, to allow the continuation of voluntary reporting programs, and for other purposes; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Mr. CRAPO (for himself, Mr. HASTERT, Mr. HANSEN, Mr. HUTCHINSON, Mr. SANTORUM, Mr. ARMEY, and Mr. QUINN):

H.R. 3633. A bill to reform the House of Representatives, and for other purposes; jointly, to the Committees on Rules and Government Operations.

By Mr. DEFAZIO:

H.R. 3634. A bill to amend the Military Selective Service Act to terminate the registration requirement and to terminate the activities of civilian local boards, civilian appeal boards, and similar local agencies of the Selective Service System; to the Committee on Armed Services.

By Mr. DORNAN (for himself, Mr. HERGER of California, Mr. BAKER of California, Mr. POMBO, Mr. DOOLITTLE, Mr. TAYLOR of North Carolina, Mr. PACKARD, and Mr. YOUNG of Alaska):

H.R. 3635. A bill to require the withdrawal of the United States from the NAFTA supplemental agreements on labor and environmental cooperation; to the Committee on Ways and Means.

By Mr. MARKEY (for himself, Mr. FIELDS of Texas, Mr. BOUCHER, Mr. OXLEY, Mr. HALL of Texas, Mr. MOORHEAD, Mr. BRYANT, Mr. BARTON of Texas, Mr. LEHMAN, Mr. HASTERT, Mr. RICHARDSON, Mr. GILLMOR, and Ms. SCHENK):

H.R. 3636. A bill to promote a national communications infrastructure to encourage deployment of advanced communications services through competition, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DURBIN (for himself, Mr. MCDERMOTT, Mr. GORDON, Mr. DARDEN, Mr. DELLUMS, Mr. FRANK of Massachusetts, Mr. PETE GEREN of Texas, and Mr. WALSH):

H.R. 3637. A bill to require the Secretary of the Treasury to include organ donation information with individual income tax refund payments; to the Committee on Ways and Means.

By Ms. ESHOO:

H.R. 3638. A bill to suspend temporarily the duty on Mycophenolate Mofetil in bulk form; to the Committee on Ways and Means.

By Mr. FIELDS of Louisiana:

H.R. 3639. A bill to amend title 18, United States Code, to regulate the receipt of firearms dealers; to the Committee on the Judiciary.

By Mr. FILNER:

H.R. 3640. A bill to direct the Administrator of the Environmental Protection Agency to establish an office in a community in the United States located not more than 10 miles from the border between the United States and Mexico; to the Committee on Merchant Marine and Fisheries.

By Mrs. FOWLER (for herself, Mr. YOUNG of Florida, Mr. LEWIS of Florida, Mr. BACCHUS of Florida, Mr. GOSS, Mr. PETERSON of Florida, and Mrs. THURMAN):

H.R. 3641. A bill to make adjustments of maps relating to the Coastal Barrier Resources System; to the Committee on Merchant Marine and Fisheries.

By Mr. FRANK of Massachusetts (for himself, Mr. BAKER of Louisiana, Mr. MORAN, Mr. LEACH, Mr. FLAKE, Mr. MCCOLLUM, and Mr. LAROCCO):

H.R. 3642. A bill to provide regulatory capital guidelines for treatment of real estate assets sold with limited recourse by depository institutions; jointly, to the Committees on Banking, Finance and Urban Affairs and Energy and Commerce.

By Mr. FRANKS of Connecticut:

H.R. 3643. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage corporations to provide financing and management support services to enable welfare recipients to leave welfare an operate small business concerns; to the Committee on Ways and Means.

By Mr. GRAMS:

H.R. 3644. A bill to correct the tariff treatment of certain articles covered by the Nairobi Protocol; to the Committee on Ways and Means.

By Mr. GRAMS (for himself, Mr. HUTCHINSON, Mr. HASTERT, Mr. GINGRICH, Mr. ARMEY, Mr. MCCOLLUM, Mr. DELAY, Mr. HYDE, Mr. HUNTER, Mr. PAXON, Mr. SOLOMON, Mr. KASICH, Mr. ISTOOK, Mr. KNOLLENBERG, Mr. TALENT, Mr. CRAPO, Mr. MANZULLO, Ms. DUNN, Mr. BACHUS of Alabama, Mr. BARTLETT of Maryland, Mr. DICKEY, Mr. KINGSTON, Mr. KIM, Ms. PRYCE of Ohio, Mr. HOEKSTRA, Mr. LEVY, Mr. POMBO, Mr. MCKEON, Mr. BAKER of California, Mr. COLLINS of Georgia, Mr. INGLIS of South Carolina, Mr. QUINN, Mr. CANADY, Mr. HOKE, Mr. TORKILDSEN, Mr. LINDER, Mr. BLUTE, Mr. MCINNIS, Mr. KING, Mr. SMITH of

Michigan, Mrs. FOWLER, Mr. MCHUGH, Mr. ROYCE, Mr. DOOLITTLE, Mr. BARTON of Texas, Mr. BURTON of Indiana, Mr. RAMSTAD, Mr. COX, Mr. SMITH of Oregon, Mr. DORNAN, Mr. HERGER of California, Mr. HEFLEY, Mr. GOSS, Mr. KYL, Mr. ZIMMER, Mr. STEARNS, Mr. ROHRABACHER, Mr. BAKER of Louisiana, Mr. INHOFE, Mrs. VUCANOVICH, Mr. BOEHNER, Mr. EWING, Mr. STUMP, Mr. SAM JOHNSON, Mr. MOORHEAD, Ms. MOLINARI, Mr. SANTORUM, Mr. PACKARD, Mr. SHAYS, Mr. SPENCE, Mr. HANCOCK, Mr. EMERSON, Mr. SMITH of Texas, Mr. SAXTON, Mr. RAVENEL, Mr. HOBSON, and Mr. GALLEGLY):

H.R. 3645. A bill to provide a tax credit for families, to provide certain tax incentives to encourage investment and increase savings, and to place limitations on the growth of spending; jointly, to the Committees on Ways and Means, Government Operations, and Rules.

By Mr. GUNDERSON:

H.R. 3646. A bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to permit the movement in interstate commerce of meat and meat food products and poultry products that satisfy State inspection requirements that are at least equal to Federal inspection standards; to the Committee on Agriculture.

By Mr. HINCHEY:

H.R. 3647. A bill to provide for the acquisition of certain lands formerly occupied by the Franklin D. Roosevelt family, and for other purposes; to the Committee on Natural Resources.

By Mr. HUNTER (for himself, Mr. EVERETT, Ms. KAPTUR, and Mr. TRAFICANT):

H.R. 3648. A bill to amend the Internal Revenue Code of 1986 to provide investment incentives for any corporation with a majority of its manufacturing operations in the United States; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. BURTON of Indiana, Mr. CUNNINGHAM, Mr. EVERETT, Ms. KAPTUR, and Mr. TRAFICANT):

H.R. 3649. A bill to establish the Industrial Regulatory Relief Commission; jointly, to the Committees on Energy and Commerce; Banking, Finance and Urban Affairs; and Rules.

By Mr. WAXMAN (for himself and Mr. DINGELL):

H.R. 3650. A bill to amend the Federal Food, Drug, and Cosmetic Act to assure access to dietary supplements and to amend the Dietary Supplement Act of 1992 to extend the moratorium with respect to the issuance of regulations on dietary supplements, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. JOHNSON of Connecticut (for herself, and Mr. THOMAS of California):

H.R. 3651. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of long-term care insurance policies, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mrs. JOHNSON of Connecticut (for herself, Mr. THOMAS of California, Mr. MCMILLAN, and Mr. GUNDERSON):

H.R. 3652. A bill to improve the competitiveness, efficiency, and fairness of health coverage for individuals and small employers through promoting the development of voluntary Health Plan Purchasing Cooperatives; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Mr. KOLBE (for himself, Mr. PORTER, Mr. SCHIFF, Mr. DORNAN, and Mr. HERGER of California):

H.R. 3653. A bill to amend title XI of the Social Security Act and title 18, United States Code, to extend criminal RICO provisions to health care fraud and to extend certain other criminal provisions to health care fraud under the CHAMPUS Program, the Indian health care program, health care programs for veterans and the Department of Defense, and the Federal employees health care program; jointly, to the Committees on Ways and Means and the Judiciary.

By Mr. KOPETSKI (for himself, Mrs. UNSOELD, Mr. FARR, Mr. YOUNG of Alaska, and Mr. SMITH of Oregon):

H.R. 3654. A bill to amend title 28, United States Code, to divide the ninth judicial circuit of the United States into two circuits, and for other purposes; to the Committee on the Judiciary.

By Mr. LAFALCE:

H.R. 3655. A bill to authorize the Small Business Administration to reduce the interest rate on certain outstanding debentures, and for other purposes; to the Committee on Small Business.

By Mr. LANTOS (for himself, Mr. GILMAN, Mrs. MALONEY, Mr. SWETT, Ms. MARGOLIES-MEZVINSKY, Mr. DEUTSCH, Mr. HASTINGS, Mr. BROWN of Ohio, Mr. ANDREWS of New Jersey, Mr. SCHUMER, Ms. LOWEY, Mr. PALLONE, Ms. ROS-LEHTINEN, Mr. BERMAN, and Mr. ACKERMAN):

H.R. 3656. A bill to restrict sales and leases of defense articles and defense services to any country or international organization which as a matter of policy or practice is known to have sent letters to U.S. firms requesting compliance with, or soliciting information regarding compliance with, the secondary or tertiary Arab boycott; to the Committee on Foreign Affairs.

By Mr. LAROCCO (for himself, Mr. LEHMAN, Mr. RAHALL, Mr. YOUNG of Alaska, Mr. RICHARDSON, Mr. SCHIFF, and Mrs. VUCANOVICH):

H.R. 3657. A bill to establish fees for communication sites on public lands; jointly, to the Committees on Natural Resources and Agriculture.

By Mr. LEHMAN (for himself, Mr. MOORHEAD, Mr. BERMAN, Mr. DOOLEY, Mr. MATSUI, Mr. DELLUMS, and Mr. ROHRABACHER):

H.R. 3658. A bill to amend the Fair Labor Standards Act of 1938 to provide that employees in classified positions in community colleges are not required to receive overtime compensation for service in a certified or other academic position; to the Committee on Education and Labor.

By Mrs. MALONEY (for herself, Mr. RANGEL, Mr. GILMAN, Mr. MANTON, Mr. NADLER, Mr. ENGEL, Mrs. LOWEY, Mr. OWENS, Mr. HINCHEY, Mr. HOCHBRUECKNER, Mr. MCNULTY, Mr. FLAKE, Ms. VELAZQUEZ, Mr. SCHUMER, Mr. ACKERMAN, Ms. SLAUGHTER, Mr. QUINN, and Mr. SERRANO):

H.R. 3659. A bill to amend title XIX of the Social Security Act to improve the Federal medical assistance percentage used under the Medicaid Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MANZULLO (for himself and Mr. WELDON):

H.R. 3660. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to ensure that chaplains killed in the line of duty receive benefits; to the Committee on the Judiciary.

By Mr. MCCOLLUM (for himself, Mr. LEWIS of California, Mr. SAM JOHNSON, Mr. LINDER, Mr. BACHUS of Alabama, Mr. GRAMS, Mr. MCCRERY, Mr. THOMAS of Wyoming, Mr. MCCANDLESS, and Mr. CASTLE):

H.R. 3661. A bill to amend the Federal Deposit Insurance Act to clarify the due process protections applicable to directors and officers of insured depository institutions and other institution-affiliated parties, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MEEHAN:

H.R. 3662. A bill to amend the Ethics in Government Act of 1978 to require that Members, officers, and employees of Congress required to file reports under this Act disclose in those reports additional information relating to travel financed by persons with any interest in legislation before the Congress, and for other purposes; jointly, to the Committees on the Judiciary, House Administration, and Post Office and Civil Service.

By Mrs. MEEK (for herself, Mr. GILMAN, Ms. BROWN of Florida, Mr. OWENS, Mr. MFUME, Mr. TOWNS, Mr. RUSH, Mrs. CLAYTON, Mr. SCOTT, Mr. LEWIS of Georgia, Mr. WATT, Mr. HILLIARD, Mr. ROMERO-BARCELO, Miss COLLINS of Michigan, Mr. FLAKE, Mr. TUCKER, Ms. WATERS, Mr. JEFFERSON, Mr. PAYNE of New Jersey, Mr. RANGEL, Ms. PELOSI, Mr. WYNN, Mr. JACOBS, Mr. FRANK of Massachusetts, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CONYERS, Mr. HASTINGS, Mr. FOGLIETTA, Ms. MCKINNEY, Mr. SERRANO, Mr. WASHINGTON, Mr. DE LUGO, Mr. CLYBURN, Mr. ENGEL, and Mr. DELLUMS):

H.R. 3663. A bill to reaffirm the obligation of the United States to refrain from the involuntary return of refugees outside the United States, designate Haiti under temporary protected status, and for other purposes; jointly, to the Committees on Foreign Affairs and the Judiciary.

By Mr. MINGE:

H.R. 3664. A bill to direct the Secretary of the Interior to convey to the State of Minnesota the New London National Fish Hatchery production facility; to the Committee on Merchant Marine and Fisheries.

By Mrs. MORELLA (for herself and Ms. BYRNE):

H.R. 3665. A bill to amend title 49, United States Code, relating to penalty amounts for civil violations of Federal motor carrier safety regulations, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. MURPHY (for himself and Mr. MURTHA):

H.R. 3666. A bill to require the Secretary of the Treasury to mint and issue $1 coins in commemoration of the 50th anniversary of the end of World War II and General George C. Marshall's service therein; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MURPHY:

H.R. 3667. A bill to redesignate the Federal building located at Ninth and Pennsylvania Avenue, NW., Washington, DC, and known as the ''J. Edgar Hoover Federal Bureau of Investigation Building'' as the ''Federal Bureau of Investigation Building''; to the Committee on Public Works and Transportation.

By Mr. NADLER (for himself and Mrs. MALONEY):

H.R. 3668. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 125th anniversary of the founding of the American museum of Natural History; to the Committee on Banking, Finance and Urban Affairs.

By Mr. NADLER:

H.R. 3669. A bill to amend the Public Health Service Act with respect to determining the amount of a supplemental grant under the emergency relief program regarding the human immunodeficiency virus; to the Committee on Energy and Commerce.

By Mr. NADLER (for himself and Mrs. SCHROEDER):

H.R. 3670. A bill to provide a civil claim for individuals who are victims of crimes motivated by actual or perceived race, color, gender, religion, national origin, ethnicity, sexual orientation, or physical or mental disability; to the Committee on the Judiciary.

By Mr. NADLER (for himself, Ms. LOWEY, Mr. ENGEL, and Mr. SCHUMER):

H.R. 3671. A bill to amend the Internal Revenue Code of 1986 to provide for adjustments in the individual income tax rates to reflect regional differences in the cost-of-living; to the Committee on Ways and Means.

By Mr. NADLER:

H.R. 3672. A bill to require the Secretary of Labor to establish cost-of-living indexes on a regional basis; to the Committee on Education and Labor.

By Mr. HERGER:

H.R. 3673. A bill to minimize the impact of Federal acquisition of private lands on units of local government, and for other purposes; to the Committee on Government Operations.

By Mr. NADLER;

H.R. 3674. A bill to amend title XIX of the Social Security Act to increase the income eligibility limit for medical assistance for COBRA continuation coverage under a State medicaid plan from 100 percent to 185 percent of the poverty level; to the Committee on Energy and Commerce.

H.R. 3675. A bill to provide for the establishment of alternative use committees at defense facilities to assist in the economic adjustment of communities, industries, and workers as a result of reductions or realignments in defense or aerospace spending and arms exports and the closure or realignment of military installations; jointly, to the Committees on Armed Services; Education and Labor; Foreign Affairs; Science, Space, and Technology; and Merchant Marine and Fisheries.

By Ms. NORTON:

H.R. 3676. A bill to amend the District of Columbia Spouse Equity Act of 1988 to provide for coverage of the former spouses of judges of the District of Columbia courts; to the Committee on the District of Columbia.

By Ms. NORTON (by request):

H.R. 3677. A bill to extend to the Mayor of the District of Columbia the same authority with respect to the National Guard of the District of Columbia as the Governor of a State exercises with respect to the National Guard of that State; jointly, to the Committees on Armed Services and the District of Columbia.

By Mr. ORTIZ (for himself, Mr. WELDON, Mr. LEHMAN, and Mr. TAUZIN):

H.R. 3678. A bill to authorize the Secretary of the Interior to negotiate agreements for the use of Outer Continental Shelf sand, gravel, and shell resources; jointly, to the Committees on Natural Resources and Merchant Marine and Fisheries.

By Mr. ORTIZ (for himself, Mr. WELDON, Mr. HUGHES, Mr. DELLUMS, Mr. LIPINSKI, Mr. LAUGHLIN, Mr. YOUNG of Alaska, Mr. FROST, Mr. BONIOR, and Mr. WASHINGTON):

H.R. 3679. A bill to authorize appropriations to expand implemention of the Junior Duck Stamp Conservation Program conducted by the U.S. Fish and Wildlife Service; to the Committee on Merchant Marine and Fisheries.

By Mr. OWENS (for himself and Mr. HASTINGS):

H.R. 3680. A bill to amend the revised statutes to restore standards for proving international discrimination; jointly, to the Committees on Education and Labor and the Judiciary.

By Mr. OXLEY:

H.R. 3681. A bill to promote the establishment of qualified voluntary environmental response programs in States and to encourage the expeditious remediation of contaminated sites; jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

By Mr. PALLONE:

H.R. 3682. A bill to require that 4-gallon to 6-gallon buckets distributed in commerce bear a permanent label warning of a potential drowning hazard to young children, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PETERSON of Florida:

H.R. 3683. A bill to amend the Community Reinvestment Act of 1977 to permit any loan by an insured depository institution, the proceeds of which are used for the certified rehabilitation of a certified historical structure, to be taken into account in connection with an assessment of such institution for purposes of such act; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PICKLE (for himself and Mr. ARCHER):

H.R. 3684. A bill to amend the Internal Revenue Code of 1986 to modify the pension plan rules applicable to State judicial retirement plans; to the Committee on Ways and Means.

By Mr. POMBO:

H.R. 3685. A bill to amend title 18, United States Code, to authorize prosecutions as adults of certain armed offenders who are juveniles; to the Committee on the Judiciary.

By Mr. ROBERTS (for himself and Mr. CONDIT):

H.R. 3686. A bill to amend the Safe Drinking Water Act to suspend the requirements of that act until the costs of implementing those requirements are fully funded by the Federal Government; to the Committee on Energy and Commerce.

By Mr. ROEMER (for himself, Mrs. MALONEY, Mr. PENNY, Mr. BARRETT of Wisconsin, Mr. FRANK of Massachusetts, Mr. SHAYS, Mr. RAMSTAD, Mr. POMEROY, Mr. HOEKSTRA, Mr. MEEHAN, Mr. STRICKLAND, Mr. DURBIN, Mr. VENTO, Mr. BARCA of Wisconsin, Mr. ANDREWS of Maine, Mr. POSHARD, Ms. DANNER, Mrs. ROUKEMA, Mr. KLEIN, Mr. LAROCCO, Mr. DEFAZIO, Mr. CONYERS, Mr. KLECZKA, Mr. HUGHES, Mr. SCHUMER, Mr. PORTER, Mr. PAYNE of New Jersey, Mr. SHARP, and Mr. HASTERT):

H.R. 3687. A bill to cancel the space station program; to the Committee on Science, Space, and Technology.

By Mr. SANGMEISTER (for himself and Mr. HASTERT):

H.R. 3688. A bill to extend the deadlines applicable to certain hydroelectric projects under the Federal Power Act; to the Committee on Energy and Commerce.

By Mr. SANTORUM (for himself and Mrs. ROUKEMA):

H.R. 3689. A bill to limit occupancy of nonelderly single persons in dwelling units located in public housing projects for elderly families; to the Committee on Banking, Finance and Urban Affairs.

By Mr. SANTORUM:

H.R. 3690. A bill to require that development assistance may be provided to certain governmental or nongovernmental organizations only if those organizations use that assistance in democratic countries, and for other purposes; to the Committee on Foreign Affairs.

H.R. 3691. A bill to require that printing for the executive and legislative branches of the Government be procured through a competitive bid process conducted by the Administrator of General Services; jointly, to the Committees on Government Operations and House Administration.

H.R. 3692. A bill to limit the amount an executive agency may obligate for office furniture and decorating in fiscal years after fiscal year 1994, and to rescind amounts available for that purpose for fiscal year 1994; to the Committee on Government Operations.

By Mr. SCHAEFER:

H.R. 3693. A bill to designate the U.S. courthouse under construction in Denver, CO, as the ''Byron White United States Courthouse''; to the Committee on Public Works and Transportation.

By Mrs. SCHROEDER (for herself, Mr. MARKEY, and Mr. KENNEDY):

H.R. 3694. A bill to amend title 5, United States Code, to permit the garnishment of an annuity under the Civil Service Retirement System or the Federal Employees' Retirement System, if necessary to satisfy a judgment against an annuitant for physically abusing a child; to the Committee on Post Office and Civil Service.

By Mr. SMITH of Texas (for himself, Mr. KASICH, Mr. COX, and Mr. FRANKS of New Jersey):

H.R. 3695. A bill to establish requirements relating to the issuance and review of regulations by Federal agencies; to the Committee on the Judiciary.

By Mr. STARK:

H.R. 3696. A bill to subject the income of the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Student Loan Marketing Association to taxation by State and local governments, and to require the Mayor of the District of Columbia to submit a report to Congress on the economic impact of such entities on the District of Columbia; jointly, to the Committees on Banking, Finance and Urban Affairs; Education and Labor; and the District of Columbia.

H.R. 3697. A bill to amend the Internal Revenue Code of 1986 to impose excise taxes on acts of self-dealing and private inurement by certain tax-exempt organizations; to the Committee on Ways and Means.

By Mr. STEARNS (for himself, Mr. ARMEY, Mr. HASTERT, Mr. BAKER OF CALIFORNIA, Mr. CUNNINGHAM, Mr. DELAY, Mr. GINGRICH, Mr. RAMSTAD, Mr. GRAMS, Mr. HANCOCK, Mr. HYDE, Mr. TALENT, Mrs. VUCANOVICH, Mr. HUTCHINSON, Mr. DORNAN, Mr. HUNTER, Mr. GEKAS, AND Mr. DUNCAN):

H.R. 3698. A bill to provide Americans with secure, portable health insurance benefits and greater choice of health insurance plans, and for other purposes; jointly, to the Committees on Energy and Commerce, Ways and Means, Education and Labor, the Judiciary, and Rules.

By Mr. STOKES (for himself, Mr. CLAY, Mrs. MEEK, Mr. LEWIS of Georgia, Mr. DELLUMS, Mr. HILLIARD, Mr. MFUME, Mr. JEFFERSON, Mr. TOWNS, Mr. BISHOP, Ms. NORTON, and Mr. THOMPSON):

H.R. 3699. A bill to amend the Public Health Service Act to establish, reauthorize and revise provisions to improve the health of individuals from disadvantaged backgrounds, and for other purposes; jointly, to the Committees on Education and Labor and Energy and Commerce.

By Mr. STRICKLAND:

H.R. 3700. A bill to provide for enforcement of State court judgments against federally forfeited assets of individuals who are delinquent in payment of child support; jointly, to the Committees on the Judiciary, Energy and Commerce, and Ways and Means.

By Mr. STUDDS:

H.R. 3701. A bill to deauthorize a portion of the project for navigation, Falmouth, MA, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. SYNAR:

H.R. 3702. A bill to amend section 1341 of title 28, United States Code, relating to the jurisdiction of the district courts over certain tax controversies; to the Committee on the Judiciary.

By Mr. THOMAS of California:

H.R. 3703. A bill to validate and confirm a conveyance of certain real property by the Southern Pacific Transportation Co., successor in interest to Southern Pacific Railroad Co., to the Redevelopment Agency of the city of Tulare, a public body, corporate and politic, and for other purposes; to the Committee on Energy and Commerce.

By Mr. THOMAS of California (for himself, Mrs. JOHNSON of Connecticut, Mr. GUNDERSON, and Mr. MACHTLEY):

H.R. 3704. A bill to provide comprehensive reform of the health care system of the United States, and for other purposes; jointly, to the Committees on Energy and Commerce, Ways and Means, Education and Labor, the Judiciary, and Rules.

By Mrs. THURMAN (for herself, Mr. CANADY, Mr. BACCHUS of Florida, Mr. BILIRAKIS, Ms. BROWN of Florida, Mrs. FOWLER, Mr. GIBBONS, Mr. GOSS, Mr. JOHNSTON of Florida, Mr. MILLER of Florida, Mr. PETERSON of Florida, and Ms. ROS-LEHTINEN):

H.R. 3705. A bill to amend the Fair Labor Standards Act of 1938 to provide an exemption from that act for inmates of penal or other correctional institutions who participate in certain programs; to the Committee on Education and Labor.

By Mr. TOWNS (for himself, Mr. BROWN of California, Miss COLLINS of Michigan, Mr. CONYERS, Mr. DELLUMS, Mr. EVANS, Mr. PETERSON of Minnesota, Mr. RICHARDSON, Mr. SANDERS, Mrs. SCHROEDER, Mr. WHEAT, and Mr. WYNN):

H.R. 3706. A bill to amend the Solid Waste Disposal Act to prohibit the international export and import of certain solid waste; to the Committee on Energy and Commerce.

By Mr. VENTO (for himself, Mr. HINCHEY, and Mr. BOUCHER):

H.R. 3707. A bill to establish an American Heritage Areas Partnership Program in the Department of the Interior; to the Committee on Natural Resources.

By Mr. VENTO:

H.R. 3708. A bill to reform the operation, maintenance, and development of the Steamtown National Historic site, and for other purposes; to the Committee on Natural Resources.

H.R. 3709. A bill to reform the process for the study of areas for potential inclusion in the National Park System, and for other purposes; to the Committee on Natural Resources.

H.R. 3710. A bill to strengthen the protections afforded to units of the National Park System and certain other nationally significant historic and natural places, and for other purposes; to the Committee on Natural Resources.

By Mrs. VUCANOVICH:

H.R. 3711. A bill to establish within the Department of Energy a National Test and Demonstration Center of Excellence at the Nevada test site, and for other purposes; to the Committees on Armed Services; Science, Space, and Technology; and Energy and Commerce.

By Mr. WHEAT:

H.R. 3712. A bill to award a congressional gold medal on behalf of President Harry S. Truman to commemorate the 50th anniversary of his 1st inauguration as President of the United States of America; to the Committee on Banking, Finance and Urban Affairs.

H.R. 3713. A bill to amend the Motor Vehicle Information and Cost Savings Act to establish certain safeguards for the protection of purchasers with respect to the sale of motor vehicles that are salvage or have been damaged, to require inspection of salvage vehicles that have been repaired in order to prevent the sale of unsafe vehicles or vehicles with stolen parts, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WHITTEN:

H.R. 3714. A bill to provide for an interpretive center at the Civil War Battlefield of Corinth, MS, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 3715. A bill to provide consultations for the development of Articles of Incorporation for territories of the United States; to the Committee on Natural Resources.

By Mr. ZIMMER;

H.R. 3716. A bill to limit amounts expended by certain Government entities for overhead expenses; to the Committee on Government Operations.

H.R. 3717. A bill to allow for moderate growth of mandatory spending; jointly, to the Committees on Government Operations and Rules.

By Mr. GEPHARDT:

H.J. Res. 300. Joint resolution providing for the convening of the 2d session of the 103d Congress; considered and passed.

By Mr. CRANE:

H.J. Res. 301. Joint resolution designating May 1994 as ''National Sporting Goods Month''; to the Committee on Post Office and Civil Service.

By Ms. FURSE (for herself, Ms. SNOW, Ms. MCKINNEY, Ms. VELAZQUEZ, Mr. ANDREWS of Maine, Mr. BARRETT of Wisconsin, Mr. BECERRA, Mr. BEILENSON, Mr. BILBRAY, Mr. BISHOP, Mr. BONIOR, Ms. BYRNE, Mrs. CLAYTON, Mr. CONYERS, Mr. COPPERSMITH, Mr. DEFAZIO, Mr. DELLUMS, Mr. DE LUGO, Ms. ESHOO, Mr. FALEOMAVAEGA, Mr. FAZIO, Mr. FISH, Mr. FOGLIETTA, Mr. FROST, Mr. GIBBONS, Mr. GREENWOOD, Mr. HINCHEY, Mr. HUGHES, Mr. HUTTO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KASICH, Mr. LANCASTER, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mrs. LLOYD, Ms. LOWEY, Mr. MARTINEZ, Mr. MCDERMOTT, Mr. MCNULTY, Mrs. MEEK, Mr. MINGE, Mrs. MINK, Mr. MOAKLEY, Mrs. MORELLA, Mr. NADLER, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. PASTOR, Ms. PELOSI, Mr. PETERSON of Minnesota, Mr. RANGEL, Mr. RAVENEL, Ms. ROYBAL-ALLARD, Mr. SCOTT, Mr. SERRANO, Mr. TOWNS, Mrs. UNSOELD, Mr. VALENTINE, Mr. WALSH, Mr. WASHINGTON, Ms. WATERS, Mr. WAXMAN, and Ms. WOOLSEY):

H.J. Res. 302. Joint resolution designating 1994 through 1999 as the ''Years of the Girl Child''; to the Committee on Post Office and Civil Service.

By Mr. LANTOS (for himself, Mr. GEPHARDT, Mr. MICHEL, Mr. DELLUMS, Mr. SPENCE, Mr. MONTGOMERY, Mr. STUMP, and Mr. GIBBONS):

H.J. Res. 303. Joint resolution designating June 6, 1994, as ''D–Day National Remembrance Day''; to the Committee on Post Office and Civil Service.

By Mr. SHARP (for himself, Mr. SWETT, Mrs. MORELLA, Ms. LAMBERT, and Mr. BOEHLERT):

H. Con. Res. 188. Concurrent resolution expressing the sense of the Congress that a dramatic new direction in Federal Government energy research, development, demonstration, and commercialization funding priorities should be adopted to improve environmental protection, create new jobs, enhance U.S. competitiveness, and reduce the trade deficit; jointly, to the Committees on Energy and Commerce and Science, Space, and Technology.

By Mr. MCCLOSKEY (for himself, Mr. WILSON, Mr. HYDE, and Ms. MOLINARI):

H. Con. Res. 189. Concurrent resolution expressing the sense of the Congress that every effort should be made to avert a humanitarian disaster in Bosnia and Herzegovina and the other former Yugoslav republics during the winter of 1993–94; to the Committee on Foreign Affairs.

By Mr. GEPHARDT:

H. Con. Res. 190. Concurrent resolution providing for the sine die adjournment of the 1st session of the 103d Congress; considered and agreed to.

By Mr. FRANKS of New Jersey (for himself, Mr. JOHNSON of Georgia, and Mr. REGULA):

H. Con. Res. 191. Concurrent resolution to urge the Secretary of State to actively engage in negotiations with the signatories of the United Nations Convention relating to the status of refugees to establish international first safe haven procedures for aliens claiming political asylum; to the Committee on Foreign Affairs.

By Mr. NADLER:

H. Con. Res. 192. Concurrent resolution expressing the sense of Congress with respect to information on AIDS and HIV infections, and for other purposes; to the Committee on Energy and Commerce.

By Mr. REGULA (for himself, Mr. LEVIN, Mr. MINETA, Mr. OBERSTAR, Mr. YATES, Mr. COSTELLO, Mr. APPLEGATE, Mr. VISCLOSKY, Mr. HUGHES, Mr. EDWARDS of California, Mr. BOEHNER, Mr. FILNER, Mr. CONYERS, Mr. LIPINSKI, Mr. LANCASTER, Mrs. BENTLEY, Mr. MURTHA, Ms. LOWEY, Ms. ESHOO, Mr. DEFAZIO, Mr. CARDIN, Mr. GENE GREEN of Texas, Mr. PASTOR, Mr. RIDGE, Mr. WELDON, Mr. CARR, Mr. GEKAS, Mr. LAFALCE, Mr. CLAY, Ms. LONG, Mr. MCDADE, Mr. PALLONE, Mr. STOKES, Mr. DINGELL, Mr. HINCHEY, Mr. VENTO, Mr. MCHALE, Mr. PAYNE of Virginia, Mr. BROWN of Ohio, Mr. HUNTER, Mr. RUSH, Mr. CRAPO, Mr. SLATTERY, Mr. MARKEY, Mrs. MINK, Mr. BROWN of California, Ms. KAPTUR, Mr. COYNE, Mr. KILDEE, Mr. OBEY, Mr. RAHALL, Mr. SANGMEISTER, Mr. SAWYER, Mr. SYNAR, Mr. BOEHLERT, Mr. QUINN, Mr. ROEMER, Ms. FURSE, Ms. MARGOLIES-MEZVINSKY, Mr. MOLLOHAN, Mr. NEAL of Massachusetts, Mrs. KENNELLY, Mr. PICKLE, Mr. BONIOR, Mr. HOUGHTON, and Miss COLLINS of Michigan):

H. Con. Res. 193. Concurrent resolution to express the sense of the Congress regarding negotiations objectives for the Uruguay round of the General Agreement on Trade and Tariffs [GATT]; to the Committee on Ways and Means.

By Mr. TALENT:

H. Con. Res. 194. Concurrent resolution expressing the sense of the Congress that any comprehensive health care reform legislation that is enacted should require a Senator or Representative in, or Delegate or Resident Commissioner to, the Congress to wait for a period equal to a national average waiting period before receiving a health care service; jointly, to the Committees on Energy and Commerce and House Administration.

¶140.68 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Ms. MARGOLIES-MEZVINSKY introduced a bill (H.R. 3718) for the relief of Mark A. Potts; which was referred to the Committee on the Judiciary.

¶140.69 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Ms. FURSE.

H.R. 39: Mr. LANTOS and Mr. WYNN.

H.R. 70: Mrs. FOWLER and Mr. JOHNSON of South Dakota.
H.R. 122: Mr. KLUG and Mrs. MALONEY.
H.R. 133: Mr. KLUG, Mr. COX, and Mr. HOKE.
H.R. 140: Mr. BURTON of Indiana, Mr. PORTMAN, Mr. OXLEY, Mr. SHAW, Mr. GALLEGLY, Mr. REYNOLDS, Mr. CANADY, Mr. BARTON of Texas, Mr. GRANDY, Mr. MURTHA, Mr. LANCASTER, Mrs. VUCANOVICH, and Mr. ARMEY.
H.R. 146: Mr. BACHUS of Alabama.
H.R. 163: Mr. HOKE and Mr. GORDON.
H.R. 173: Mr. GORDON.
H.R. 226: Mr. YATES, Mr. SWETT, and Mr. WISE.
H.R. 291: Mr. BUNNING, Mr. HUGHES, and Ms. FURSE.
H.R. 301: Mr. KLUG.
H.R. 306: Mr. FRANKS of Connecticut.
H.R. 383: Mrs. MEYERS of Kansas.
H.R. 388: Mrs. MEYERS OF KANSAS.
H.R. 401: Mr. HERGER of California.
H.R. 417: Ms. PRYCE of Ohio.
H.R. 425: Mr. BARCIA of Michigan.
H.R. 427: Mr. BARCIA of Michigan.
H.R. 429: Mr. KLUG and Mr. MICA.
H.R. 436: Ms. PELOSI AND MS. FURSE.
H.R. 441: Ms. MOLINARI Mr. BLUTE, Mr. PALLONE, Mr. SCHAEFER, Mr. JOHNSON of South Dakota, and Mr. LAZIO.
H.R. 465: Mr. SCHAEFER, Mr. HOKE, and Mr. JOHNSON of South Dakota.
H.R. 476: Mr. GRAMS, Ms. FURSE, and MR. Jefferson.
H.R. 477: Mrs. MALONEY.
H.R. 502: Mr. GOODLATTE, Mrs. MALONEY, and Mr. BACCHUS of Florida.
H.R. 518: Mr. FORD of Michigan, Mr. SANDERS, Mr. SABO, Mr. GUTIERREZ, Mr. PALLONE, and Ms. KAPTUR.
H.R. 522: Mr. SERRANO.
H.R. 549: Mr. SCHIFF.
H.R. 551: Mr. BUNNING, Mr. ENGEL, and Mr. BARLOW.
H.R. 561: Mr. ARMEY Mr. HERGER of California, and Mr. UPTON.
H.R. 624: Mr. GOODLATTE, Mr. VENTO, Mr. HINCHEY, and Mr. ROMERO-BARCELO.
H.R. 643: Ms. MOLINARI.
H.R. 657: Mr. BATEMAN.
H.R. 662: Mr. SPENCE and Mr. COX.
H.R. 672: Mr. DORNAN, Mr. HINCHEY, Mr. QUINN, and Mr. KENNEDY.
H.R. 681: Mr. SHAYS.
H.R. 702: Mr. WYNN.
H.R. 723: Mr. BACHUS of Alabama and Mr. JOHNSON of South Dakota.
H.R. 746: Ms. NORTON and Mr. MATSUI.
H.R. 769: Mr. ANDREWS of Maine.
H.R. 778: Mr. ORTON, Mr. DARDEN, Mrs. LLOYD, and Mr. CLEMENT.
H.R. 814: Mr. SCHIFF and Mr. BACHUS of Alabama.
H.R. 846: Mr. GOSS.
H.R. 883: Mr. HOKE.
H.R. 895: Mr. BACHUS of Alabama and Mr. SCHAEFER.
H.R. 896: Mr. BATEMAN, Mrs. VUCANOVICH, and Mrs. FOWLER.
H.R. 943: Mr. CAMP, Mr. DUNCAN, Mr. ORTON, and Mr. LAZIO.
H.R. 961: Ms. MOLINARI, Mr. PALLONE, and Mr. JOHNSON of South Dakota.
H.R. 972: Ms. FURSE.
H.R. 1015: Mr. GILMAN.
H.R. 1026: Mr. BACHUS of Alabama.
H.R. 1048: Mr. STARK, Mrs. MALONEY, Mr. PENNY, and Mr. PASTOR.
H.R. 1055: Ms. FURSE and Mr. LEVY.
H.R. 1080: Mr. BLUTE, Mr. JOHNSON of South Dakota, and Mr. GILCHREST.
H.R. 1086: Mr. GEJDENSON.
H.R. 1099: Mr. MICA, Mr. STEARNS, Mr. LINDER, Mr. BACHUS of Alabama, Mrs. VUCANOVICH, Mr. COX, and Mr. RAMSTAD.
H.R. 1116: Mr. WYNN.
H.R. 1122: Mr. KNOLLENBERG, Mr. SCHAEFER, and Mrs. MALONEY.
H.R. 1124: Mr. BACHUS of Alabama and Mr. SCHAEFER.
H.R. 1125: Mr. BATEMAN.
H.R. 1126: Mr. MICA, Mr. SCHAEFER, and Mr. BACHUS of Alabama.
H.R. 1127: Mr. SCHAEFER.
H.R. 1128: Mr. COX, Mr. BACHUS of Alabama, and Mr. BLUTE.
H.R. 1129: Mr. KNOLLENBERG, Mr. COX, and Ms. MOLINARI.
H.R. 1130: Mr. SHAW and Mr. BACHUS of Alabama.
H.R. 1151: Mr. WAXMAN.
H.R. 1164: Mr. TOWNS.
H.R. 1167: Mr. BACHUS of Alabama.
H.R. 1168: Mr. COX, Mrs. FOWLER, Mr. BATEMAN, and Mr. QUINN.
H.R. 1169: Mr. BACHUS of Alabama and Mr. COX.
H.R. 1176: Ms. FURSE.
H.R. 1181: Mr. SWETT.
H.R. 1191: Mr. GILCHREST.
H.R. 1192: Mr. ZIMMER.
H.R. 1194: Mr. MCCLOSKEY and Mr. NADLER.
H.R. 1200: Mr. FIELDS of Louisiana, Mr. SYNAR, Mr. RICHARDSON, Mr. GONZALEZ, and Mr. WAXMAN.
H.R. 1209: Mr. BACHUS of Alabama and Mr. COX.
H.R. 1231: Mr. BARCA of Wisconsin.
H.R. 1241: Mrs. MEYERS of Kansas.
H.R. 1276: Mr. SARPALIUS and Mr. CRAMER.
H.R. 1293: Mr. LINDER, Mr. DOOLITTLE, Mr. BACHUS of Alabama, and Mr. SCHAEFER.
H.R. 1295: Mr. ANDREWS of Texas, Mr. HOBSON, Mr. HERGER of California, Mr. KYL, and Mr. ISTOOK.
H.R. 1322: Mr. LIVINGSTON, Mr. DICKEY, Mr. DOOLITTLE, Mr. ISTOOK, Mr. CRAPO, Mr. TUCKER, Mr. INGLIS of South Carolina, Mr. MACHTLEY, Mr. KASICH, Mr. DELAY, Mr. LIGHTFOOT, Mr. DARDEN, Mr. DIAZ-BALART, Mr. CAMP, Mr. EVERETT, and Mr. MCKEON.
H.R. 1349: Mr. COBLE, Mr. DEUTSCH, and Ms. FURSE.
H.R. 1354: Mr. TORKILDSEN, Mr. MILLER of California, Mr. NADLER, and Mrs. MORELLA.
H.R. 1392: Mr. HOKE.
H.R. 1402: Mr. FRANK of Massachusetts.
H.R. 1423: Mr. MATSUI, Mr. GRAMS, Mr. HILLIARD, Mr. APPLEGATE, and Mr. HINCHEY..
H.R. 1428: Mr. BACHUS of Alabama.
H.R. 1444: Mr. FRANK of Massachusetts.
H.R. 1455: Mr. YOUNG of Florida.
H.R. 1483: Mr. HOKE, Mr. SCHAEFER, and Mr. KLUG.
H.R. 1487: Mr. MICA, Mr. RAMSTAD, and Mrs. FOWLER.
H.R. 1493: Mr. BATEMAN, Mr. YATES, and Ms. FURSE.
H.R. 1505: Mr. PORTMAN, Mr. BLUTE, and Mr. COX.
H.R. 1518: Mr. SCHAEFER.
H.R. 1538: Mr. MORAN.
H.R. 1551: Mr. BURTON of Indiana, Mr. SMITH of Texas, Mr. MCCRERY, Mr. DORNAN, and Mr. EDWARDS of Texas.
H.R. 1552: Mr. LINDER, Mr. BACHUS of Alabama, Mr. BARCA of Wisconsin, Mr. DARDEN, and Mr. GILCHREST.
H.R. 1555: Mr. BARCA of Wisconsin.
H.R. 1571: Ms. MARGOLIES-MEZVINSKY.
H.R. 1602: Mr. OLIVER, Mr. MURPHY, Mr. LEWIS of Georgia, and Mr. ZELIFF.
H.R. 1604: Mr. BACHUS of Alabama.
H.R. 1607: Mr. PALLONE.
H.R. 1609: Mr. RICHARDSON.
H.R. 1620: Mr. KLUG, Mrs. VUCANOVICH, Mr. GOODLATTE, Mr. LINDER, Mr. RAMSTAD, Mrs. FOWLER, Mr. BACHUS of Alabama, Mr. SCHAEFER, Mr. MICA, Mr. COX, and Mr. JOHNSON of South Dakota.
H.R. 1621: Mr. ZELIFF, Mr. ZIMMER, Mr. UPTON, Mr. JACOBS, Mr. PALLONE, and Mr. PENNY.
H.R. 1622: Mr. BATEMAN.
H.R. 1673: Mr. KLUG and Mr. PENNY.
H.R. 1687: Mr. WALSH.
H.R. 1703: Mr. GEJDENSON, Mr. GIBBONS, and Mr. FRANK of Massachusetts.
H.R. 1709: Mr. SMITH of Oregon, Mr. ROSE, Mr. PACKARD, Mr. HILLIARD, Mr. TANNER, Mr. OXLEY, Mr. MANTON, Mr. OWENS, Mr. GALLO, Mr. SKELTON, Mr. NEAL of North Carolina, Mr. WELDON, Mr. PAXON, Mr. YOUNG of Alaska, Mr. SMITH of New Jersey, Mr. BLILEY, Mr. HUTCHINSON, Mr. DELAY, Mr. UNDERWOOD, Mr. FORD of Tennessee, Mr. BEREUTER, Mr. GOODLING, Mrs. LLOYD, Mr. BILIRAKIS, and Mr. ANDREWS of Maine.
H.R. 1725: Mr. ZELIFF and Mr. KLUG.
H.R. 1775: Ms. LAMBERT.
H.R. 1785: Mr. ZELIFF, Mr. DOOLITTLE, Mr. KLUG, and Mr. SCHAEFER.
H.R. 1793: Mrs. MEYERS of Kansas, Mr. BISHOP, and Mr. GEJDENSON.
H.R. 1808: Mr. DEFAZIO, Mr. PAYNE of New Jersey, and Mr. ENGEL.
H.R. 1809: Mr. DEFAZIO, Mr. PAYNE of New Jersey, Mr. PORTER, and Mr. ENGEL.
H.R. 1810: Mr. DEFAZIO, Mr. PAYNE of New Jersey, and Mr. ENGEL.
H.R. 1815: Mr. MCDADE, Mr. SANTORUM, Mr. CANADY, Mr. GINGRICH, Mr. MCMILLAN, and Mr. GOODLING.
H.R. 1852: Mr. BACHUS of Alabama and Mr. COX.
H.R. 1853: Mr. BACHUS of Alabama.
H.R. 1857: Mr. BACHUS of Alabama.
H.R. 1860: Mr. BACHUS of Alabama.
H.R. 1864: Mr. MCKEON.
H.R. 1883: Mr. GONZALEZ, Mr. HASTINGS, Mr. BROWN of California, Miss COLLINS of Michigan, and Mr. YOUNG of Florida.
H.R. 1884: Mr. BEVILL and Mr. BARRETT of Wisconsin.
H.R. 1887: Mr. BATEMAN, Mr. HERGER of California, and Mr. BACHUS of Alabama.
H.R. 1900: Mr. THORNTON.
H.R. 1910: Mr. TAUZIN and Mr. SCHAEFER.
H.R. 1921: Mr. HOKE.
H.R. 1950: Mr. BALLENGER, Mr. HOBSON, Mr. SOLOMON, and Mr. HERGER of California.
H.R. 1961: Ms. BYRNE.
H.R. 1968: Mr. ANDREWS of Maine.
H.R. 1989: Mr. ZIMMER.
H.R. 1999: Mr. COMBEST and Mr. GREENWOOD.
H.R. 2013: Mr. MCKEON, Mr. CALVERT, Mr. EVANS, and Mr. ROMERO-BARCELÓ.
H.R. 2014: Mr. KLUG, Mr. BATEMAN, Mr. SCHAEFER, Mr. DARDEN, and Mr. GORDON.
H.R. 2022: Mr. HOUGHTON and Mr. SUNDQUIST.
H.R. 2023: Mr. HERGER of California and Mr. EWING.
H.R. 2032: Ms. FURSE and Mr. JEFFERSON.
H.R. 2035: Mrs. MALONEY.
H.R. 2036: Mrs. MALONEY.
H.R. 2037: Mr. SCHAEFER.
H.R. 2038: Mr. SCHAEFER.
H.R. 2043: Mr. KENNEDY and Mr. ZIMMER.
H.R. 2059: Mr. BACHUS of Alabama.
H.R. 2062: Mr. ACKERMAN and Ms. MOLINARI.
H.R. 2073: Mr. ZIMMER.
H.R. 2088: Mr. CLYBURN, Mr. EDWARDS of Texas, Mr. RAVENEL, and Mr. WELDON.
H.R. 2132: Mr. HILLIARD.
H.R. 2145: Mr. DEUTSCH and Mr. PASTOR.
H.R. 2159: Mr. SMITH of New Jersey.
H.R. 2171: Mr. BROWN of Ohio and Mr. GILMAN.
H.R. 2175: Mr. DOOLEY.
H.R. 2192: Mr. BACCHUS of Florida.
H.R. 2207: Mr. BARLOW, Mr. SMITH of Oregon, Mr. OXLEY, Mr. MURPHY, Mr. CLEMENT, and Mr. BACHUS of Alabama.
H.R. 2210: Mr. NADLER.
H.R. 2219: Mr. BACHUS of Alabama.
H.R. 2220: Mr. HERGER of California.
H.R. 2229: Ms. WOOLSEY, Mr. ANDREWS of Maine, Mr. GONZALEZ, Mr. SABO, Ms. PELOSI, Mr. NADLER, and Mr. MORAN.
H.R. 2238: Mrs. MALONEY.
H.R. 2292: Mr. UPTON and Mr. KLEIN.
H.R. 2308: Mr. TUCKER and Ms. VELAZQUEZ.
H.R. 2319: Mr. BONILLA, Mr. DIAZ-BALART, Mrs. FOWLER, Mr. FRANKS of New Jersey, Ms. FURSE, Mr. GRANDY, Mr. HOKE, Mr. KING, Mr. KNOLLENBERG, Mr. LEVY, Mr. MCCANDLESS,

Mr. MCCOLLUM, Mr. MCDADE, Mr. PACKARD, and Mr. PORTMAN.

H.R. 2393: Mr. BACHUS of Alabama.

H.R. 2418: Mr. SMITH of Texas and Mr. FRANK of Massachusetts.

H.R. 2427: Mr. WISE.

H.R. 2429: Mr. GIBBONS, Ms. PRYCE of Ohio, Mr. TOWNS, and Mr. STOKES.

H.R. 2434: Mr. PORTMAN and Mr. SCHAEFER.

H.R. 2441: Mr. DELLUMS.

H.R. 2443: Mr. BROOKS, Mr. MCCURDY, Mr. HUFFINGTON, Mr. HORN of California, Mr. POMBO, Mr. COYNE, Mr. BEILENSON, Mr. CONYERS, Mr. ABERCROMBIE, Mr. EDWARDS of California, Mr. COX, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BYRNE, Mr. CONDIT, Mr. BECERRA, Mr. GORDON, Mr. SAXTON, Mr. ORTIZ, Mr. DREIER, Mr. BLILEY, Mr. TORRES, Mr. SMITH of Texas, Mr. TAYLOR of North Carolina, Mr. WHITTEN, Mr. MYERS of Indiana, Mrs. SCHROEDER, Mr. DELAY, Mr. BONILLA, Mr. ENGLISH of Oklahoma, Mr. PETRI, Mr. DUNCAN, Mr. MFUME, Ms. DELAURO, Mr. ARMEY, Mr. SWIFT, Mr. ROTH, Mr. RAMSTAD, Mr. KLECZKA, Mr. ROBERTS, Mr. WYNN, Mr. PORTER, Mr. GRAMS, Mr. LEHMAN, and Mr. SCOTT.

H.R. 2452: Mr. ANDREWS of New Jersey.

H.R. 2464: Mr. TORRES.

H.R. 2484: Mr. LIPINSKI and Mr. HYDE.

H.R. 2488: Mr. ANDREWS of Maine, Mr. LANTOS, and Mr. PALLONE.

H.R. 2525: Mr. CALLAHAN and Mr. BALLENGER.

H.R. 2526: Mr. SANDERS.

H.R. 2527: Mr. SANDERS.

H.R. 2541: Mr. COX.

H.R. 2543: Mr. HINCHEY.

H.R. 2572: Mr. WYNN.

H.R. 2600: Mr. FLAKE.

H.R. 2602: Mr. GILCHREST.

H.R. 2605: Mr. POMEROY.

H.R. 2617: Mr. FISH and Mr. HERGER of California.

H.R. 2638: Mr. ANDREWS of Maine and Mr. MORAN.

H.R. 2640: Mr. DELAY.

H.R. 2641: Mr. LAROCCO, Mr. BACCHUS of Florida, Mr. SANDERS, and Mr. DURBIN.

H.R. 2646: Mr. BACHUS of Alabama, Mr. JACOBS, Mr. LINDER, Mr. RAMSTAD, Mr. SCHAEFER, Mr. HOKE, Mr. ZIMMER, and Mr. GORDON.

H.R. 2649: Mr. RAMSTAD and Mr. HINCHEY.

H.R. 2662: Mr. JEFFERSON, Mr. ENGEL, Mr. TUCKER, Mr. WASHINGTON, Mr. GUTIERREZ, Mr. COYNE, Mr. CRAMER, Mr. UNDERWOOD, Mr. FALEOMAVAEGA, and Mr. WYNN.

H.R. 2671: Mr. ZIMMER.

H.R. 2676: Mr. FORD of Tennessee.

H.R. 2705: Mr. HOKE.

H.R. 2721: Mr. JACOBS and Mr. ENGEL.

H.R. 2728: Mr. DELLUMS, Mr. EVANS, and Mr. FISH.

H.R. 2736: Mr. VENTO, Mr. TRAFICANT, Ms. NORTON, and Ms. VELAZQUEZ.

H.R. 2738: Mr. TOWNS.

H.R. 2756: Mr. GORDON.

H.R. 2759: Ms. FURSE.

H.R. 2786: Mr. SLATTERY.

H.R. 2787: Mr. VENTO.

H.R. 2788: Mr. MARTINEZ.

H.R. 2790: Mr. BISHOP and Mr. ENGEL.

H.R. 2816: Mr. MILLER of Florida, Mr. CANADY, Mr. SMITH of New Jersey, and Mr. FISH.

H.R. 2826: Ms. KAPTUR, Mr. YATES, Mr. COBLE, Mr. FINGERHUT, Mr. INSLEE, Mr. WAXMAN, Mr. HOCHBRUECKNER, Mr. ROSE, Mr. JACOBS, Mr. DIXON, Mr. FORD of Michigan, Mr. KENNEDY, Mr. TORRES, Mr. MURPHY, Mr. LEVIN, Mr. JEFFERSON, Mr. SABO, Mr. SHAYS, Mr. DURBIN, Mr. OLVER, Mr. SCHIFF, Mr. MARKEY, Mr. HOLDEN, Mr. BILBRAY, Mr. APPLEGATE, Mr. PETERSON of Florida, Mr. REED, Mr. LEHMAN, Mr. SHEPHERD,, Mr. MATSUI, Mr. MILLER of California, Mr. RAVENEL, Mr. THOMAS of Wyoming, Mr. BATEMAN, Mr. LANTOS, Mr. WALSH, Mr. KING, Mr. PICKETT, Mr. HOAGLAND, Mr. EVANS, Ms. PRYCE of Ohio, Mr. TAYLOR of North Carolina, Mr. STARK, Mr. JOHNSON of South Dakota, Mr. SWETT, Mr. BROWN of Ohio, Mr. REGULA, Mr. NADLER, Mr. DINGELL, Mr. KLEIN, Mr. SANDERS, Mr. HORN of California, Mr. LEVY, Mr. HOBSON, Mr. FAWELL, Mr. BLUTE, Mr. WOOLSEY, Ms. MARGOLIES-MEZVINSKY, Mr. WATT, Mr. SANTORUM, and Mr. CONDIT.

H.R. 2835: Mrs. JOHNSON of Connecticut.

H.R. 2848: Mr. BAESLER, Mr. KNOLLENBERG, Mr. THOMAS of Wyoming, Ms. LAMBERT, and Mr. MCDADE.

H.R. 2853: Mr. BAKER of California.

H.R. 2873: Mr. JEFFERSON, Mr. CLYBURN, Mr. DIAZ-BALART, and Mr. SWETT.

H.R. 2886: Mr. FISH, Mr. WALKER, Mr. CHAPMAN, Mr. BARCA of Wisconsin, Mr. PACKARD, and Mr. QUINN.

H.R. 2889: Mr. ABERCROMBIE, Mr. BARLOW, Mr. BOUCHER, Mr. COX, Mr. DICKEY, Mr. EVANS, Mr. EVERETT, Mr. FRANK of Massachusetts, Mr. GILLMOR, Mr. GORDON, Mr. GENE GREEN of Texas, Mr. HINCHEY, Mr. HOLDEN, Mr. INSLEE, Mr. KILDEE, Mrs. MORELLA, Mr. PAYNE of Virginia, Mr. PETRI, Mr. POSHARD, Ms. SHEPHERD, Mr. SANGMEISTER, Mr. SUNDQUIST, and Mr. TALENT.

H.R. 2898: Mr. NADLER.

H.R. 2912: Mr. FRANK of Massachusetts, Mr. EDWARDS of California, Mrs. LLOYD, Mr. FOGLIETTA, and Ms. FURSE.

H.R. 2918: Mr. HOCHBRUECKNER, Mr. KOPETSKI, Mr. SANGMEISTER, Ms. MCKINNEY, Mr. GENE GREEN of Texas, Mr. ROMERO-BARCELO, Mr. JOHNSON of South Dakota, and Mrs. MEEK.

H.R. 2923: Ms. VELAZQUEZ.

H.R. 2933: Mr. YATES, Mr. FROST, Mr. FRANK of Massachusetts, and Mrs. MINK.

H.R. 2957: Mr. CASTLE, Mr. ZELIFF, and Mr. BACHUS of Alabama.

H.R. 2962: Ms. WOOLSEY.

H.R. 2980: Mr. MARTINEZ, Mr. KOPETSKI, and Ms. PELOSI.

H.R. 3005: Mr. ARMEY and Mr. HERGER of California.

H.R. 3017: Mr. GINGRICH.

H.R. 3025: Ms. PELOSI, Mr. LEWIS of Georgia, Ms. SLAUGHTER, and Mr. ROMERO-BARCELO.

H.R. 3026: Mr. WAXMAN, Mr. MCDERMOTT, Ms. PELOSI, Mr. ROMERO-BARCELO, and Mr. WYNN.

H.R. 3030: Mr. HERGER of California.

H.R. 3031: Mr. HERGER of California.

H.R. 3039: Mr. MCKEON.

H.R. 3041: Mr. WYNN.

H.R. 3059: Mr. FROST, Mr. HUGHES, and Mr. NADLER.

H.R. 3065: Mr. PICKETT, Mr. PAYNE of Virginia, Mr. HANCOCK, Mr. PARKER, Mr. LAUGHLIN, Mr. EMERSON, Mr. ROWLAND, Mr. HALL of Texas, Mr. STUMP, Mrs. BENTLEY, Mr. ROBERTS, Mr. MYERS of Indiana, Mr. HOBSON, Mr. BALLENGER, Mr. COBLE, Mr. SPENCE, Mr. BAKER of California, Mr. GALLEGLY, Mr. ZELIFF, Mr. MCCOLLUM, Mr. ISTOOK, Mr. BLILEY, Mr. HERGER of California, Mr. ARMEY, Mr. SKEEN, Mr. DELAY, Mr. LINDER, Mr. GINGRICH, Mr. ROHRABACHER, Mr. WOLF, Mr. RAMSTAD, Mr. KASICH, Mr. CAMP, Mr. HUNTER, Mr. LIGHTFOOT, Mr. QUILLEN, Mr. KOLBE, Mr. HOUGHTON, and Mr. ALLARD.

H.R. 3075: Ms. MARGOLIES-MEZVINSKY, Mr. SAWYER, and Mr. GEJDENSON.

H.R. 3080: Mr. STEARNS, Mr. ZIMMER, and Mr. ROGERS.

H.R. 3086: Mr. PORTMAN, Mr. DOOLITTLE, Mr. RAMSTAD, Mr. LINDER, Mr. SCHAEFER, Mr. SCHIFF, Mr. HERGER of California, Mr. COX, and Mr. HOKE.

H.R. 3087: Ms. ESHOO, Ms. FURSE, and Mr. DIXON.

H.R. 3088: Mr. WINN and Mr. BARCA of Wisconsin.

H.R. 3097: Ms. SHEPHERD.

H.R. 3102: Mr. BARRETT of Nebraska, Mr. BEILENSON, MR. BREWSTER, MR. CANADY, MR. CHAPMAN, MR. COLLINS of Georgia, Mr. FAWELL, Mr. FIELDS of Texas, Mr. FISH, Mr. GEJDENSON, Mr. GINGRICH, Mr. GUNDERSON, Mr. KNOLLENBERG, Mr. SCHAEFER, Mr. STUMP, and Mr. SWETT.

H.R. 3109: Mr. SANDERS.

H.R. 3125: Mr. ROYCE and Mr. BARCA of Wisconsin.

H.R. 3128: Mr. COPPERSMITH and Ms. PELOSI.

H.R. 3163: Mr. DARDEN, Mr. WYNN, Mr. ZELIFF, Mr. LAUGHLIN, Mr. BARCIA of Michigan, and Mr. ZIMMER.

H.R. 3182: Mr. ZELIFF.

H.R. 3183: Mr. UPTON and Mr. MACHTLEY.

H.R. 3205: Ms. LAMBERT, Mr. WYNN, and Mr. SWETT.

H.R. 3206: Mr. SANDERS.

H.R. 3222: Ms. ENGLISH of Arizona and Mr. CAMP.

H.R. 3224: Mr. DEUTSCH and Mr. TUCKER.

H.R. 3227: Mrs. MORELLA, Mr. SWETT, and Mr. MANZULLO.

H.R. 3250: Mr. ARMEY.

H.R. 3251: Mr. HERGER of California.

H.R. 3255: Mr. COMBEST, Mr. MCCRERY, Mr. CRANE, Mr. POMBO, Mr. BOEHNER, Mr. ARMEY, Mr. DOOLITTLE, Mr. DORNAN, Mr. SAM JOHNSON, and Mr. DELAY.

H.R. 3256: Mr. LANCASTER, and Mr. GENE GREEN of Texas.

H.R. 3266: Mr. LAZIO, Mr. SAXTON, Ms. MARGOLIES-MEZVINSKY, Mr. GINGRICH, Mr. WALKER, Mr. DELAY, Mr. MCMILLAN, Mr. ALLARD, Mr. BARRETT of Nebraska, Mr. CAMP, Mr. CUNNINGHAM, Mr. GILCHREST, Mr. HOBSON, Mr. SAM JOHNSON, Mr. KLUG, Mr. NUSSLE, Mr. SANTORUM, Mr. TAYLOR of North Carolina, Mr. GRANDY, Mr. RAVENEL, Mr. SMITH of Texas, Mr. UPTON, Mr. BALLENGER, Mr. BARTON of Texas, Mr. COBLE, Mr. LIGHTFOOT, Mr. MYERS of Indiana, Mr. HANCOCK, Ms. MOLINARI, Ms. ROS-LEHTINEN, Mr. HUNTER, Mr. MCCOLLUM, Mr. DREIER, Mr. MCCANDLESS, Mr. LIVINGSTON, Mrs. VUCANOVICH, Mr. WALSH, Mr. LEWIS of California, Mrs. THURMAN, Mr. DICKEY, Mr. SHUSTER, Mr. KOLBE, and Mr. BLILEY.

H.R. 3283: Mr. SANGMEISTER.

H.R. 3293: Mr. GENE GREEN of Texas and Mr. HASTINGS.

H.R. 3294: Mr. SANDERS.

H.R. 3296: Mr. FRANK of Massachusetts, Mr. OLVER, Mrs. KENNELLY, Mr. ANDREWS of Maine, Mr. HINCHEY, Ms. DELAURO, and Mr. SWETT.

H.R. 3328: Mr. TRAFICANT, Mr. MCINNIS, Mr. WELDON, Mr. BREWSTER, Mr. LEWIS of Florida, and Mr. DORNAN.

H.R. 3342: Ms. FURSE.

H.R. 3349: Mr. HALL of Ohio, Mr. TRAFICANT, Mr. SAWYER, and Ms. KAPTUR.

H.R. 3357: Mr. GENE GREEN of Texas and Mr. BEILENSON.

H.R. 3359: Mr. ARMEY.

H.R. 3363: Mr. VALENTINE and Mr. GILCHREST.

H.R. 3364: Mr. RANGEL, Mr. WATT, and Mr. SERRANO.

H.R. 3365: Mr. ANDREWS of Maine and Mr. WAXMAN.

H.R. 3366: Ms. FURSE.

H.R. 3367: Mr. SANTORUM.

H.R. 3372: Mr. DOOLEY, Mr. HEFNER, Mrs. THURMAN, Miss COLLINS of Michigan, Mr. LAUGHLIN, Mr. VOLKMER, Mr. GEJDENSON, Mr. SCHIFF, Ms. SLAUGHTER, Mr. LEVIN, Mr. HUGHES, Mr. BORSKI, Mr. HOAGLAND, Mr. HYDE, Mr. DINGELL, Mr. SKEEN, Mr. MYERS of Indiana, Mr. LIVINGSTON, Mr. RAVENEL, Mr. VALENTINE, and Mrs. MEYERS of Kansas.

H.R. 3373: Ms. FURSE and Mr. NADLER.

H.R. 3374: Ms. FURSE.

H.R. 3392: Mr. JOHNSON of Georgia, Mr. COLEMAN, Mr. STENHOLM, Mr. THOMAS of Wyoming, and Mr. PETE GEREN of Texas.

H.R. 3398: Mr. PORTER, Mr. LIPINSKI, and Mr. MILLER of California.

H.R. 3404: Mr. SANDERS.

H.R. 3421: Mr. ARMEY and Mr. HERGER of California.
H.R. 3429: Mr. KING.
H.R. 3434: Mr. CONYERS, Mr. JACOBS, Mr. JEFFERSON, and Mr. NADLER.
H.R. 3440: Mr. DEUTSCH.
H.R. 3442: Mr. HERGER of California.
H.R. 3446: Mr. ISTOOK.
H.R. 3458: Mr. HOEKSTRA, Mr. BALLENGER, Mr. JACOBS, and Mr. SANDERS.
H.R. 3470: Mr. KINGSTON.
H.R. 3475: Mr. FRANK of Massachusetts, Mr. DELLUMS, Mr. PALLONE, Mr. RAVENEL, Mr. MANTON, and Mr. BONIOR.
H.R. 3477: Ms. FURSE, Mr. RUSH, and Mr. SANDERS.
H.R. 3480: Mr. GONZALEZ, Mr. CASTLE, Mr. TEJEDA, Mr. SARPALIUS, Mrs. MEEK, Mr. KLEIN, Mr. WALSH, Mr. HUTTO, Mr. CANADY, and Mr. THORNTON.
H.R. 3483: Mr. SHAYS, Mr. HEFLEY, Mr. HOEKSTRA, and Mr. ZELIFF.
H.R. 3488: Mr. WELDON, Mr. KIM, Mr. SOLOMON, and Mr. GILLMOR.
H.R. 3490: Mr. JOHNSON of South Dakota, Mr. LIGHTFOOT, Mr. MCDADE, and Mr. WHITTEN.
H.R. 3492: Mr. HYDE, Mr. SMITH of Texas, Mr. DIXON, Mr. OWENS, Mr. GENE GREEN of Texas, Mr. WYNN, Mr. HINCHEY, and Mr. MCCOLLUM.
H.R. 3495: Mr. TRAFICANT and Mr. FRANK of Massachusetts.
H.R. 3497: Mr. DORNAN.
H.R. 3498: Mr. TOWNS and Mrs. MINK.
H.R. 3500: Mr. MYERS of Indiana.
H.R. 3519: Mr. HOCHBRUECKNER, Mr. LIPINSKI, Mr. HANSEN, Mr. BARCA of Wisconsin, and Mr. REGULA.
H.R. 3546: Mr. SOLOMON, Mr. BARLOW, Mr. VOLKMER, and Mr. BLUTE.
H.R. 3548: Mr. GOODLATTE.
H.R. 3552: Mr. PORTER.
H.R. 3567: Mr. YATES.
H.R. 3611: Mr. EDWARDS of California.
H.J. Res. 129: Mr. GILCHREST.
H.J. Res. 133: Mr. CLYBURN.
H.J. Res. 175: Mr. BROWN of Ohio, Mr. WATT, and Ms. MARGOLIES-MEZVINSKY.
H.J. Res. 209: Mr. HOYER and Mr. SMITH of New Jersey.
H.J. Res. 229: Mr. DOOLITTLE, Mr. EWING, Mr. HASTERT, and Mr. SOLOMON.
H.J. Res. 234: Mr. HOYER.
H.J. Res. 246: Mr. DE LUGO, Mr. DIAZ-BALART, Ms. DUNN, Mr. MOLLOHAN, Mr. PAYNE of New Jersey, Mr. RICHARDSON, Mr. SCOTT, Mr. TANNER, Mr. VALENTINE, Mr. VOLKMER, and Mr. WATT.
H.J. Res. 252: Mr. ACKERMAN, Mr. ANDREWS of New Jersey, Mr. ARCHER, Mr. BACCHUS of Florida, Mr. BAESLER, Mr. BALLENGER, Mr. BARCA of Wisconsin, Mr. BARCIA of Michigan, Mr. BATEMAN, Mr. BEVILL, Mr. BILIRAKIS, Mr. BISHOP, Mr. BLACKWELL, Mr. BLUTE, Mr. BONIOR, Mr. BORSKI, Ms. BYRNE, Mr. BROWN of California, Mr. BUYER, Mr. CALLAHAN, Mr. CALVERT, Mr. CARR, Mr. CLAY, Mrs. CLAYTON, Mr. CLEMENT, Mr. CLINGER, Miss COLLINS of Michigan, Mr. CONYERS, Mr. COPPERSMITH, Mr. COYNE, Mr. CRAMER, Mr. EDWARDS of Texas, Mr. DARDEN, Mr. DEUTSCH, Ms. DELAURO, Mr. DE LUGO, Mr. DICKEY, Mr. DICKS, Mr. DOOLITTLE, Mr. DUNCAN, Mr. ENGEL, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FAWELL, Mr. FIELDS of Louisiana, Mr. FINGERHUT, Mr. FISH, Mr. FROST, Ms. FURSE, Mr. GALLEGLY, Mr. GEKAS, Mr. PETE GEREN of Texas, Mr. GILMAN, Mr. GENE GREEN of Texas, Mr. GREENWOOD, Mr. GORDON, Mr. GUTIERREZ, Mr. HANSEN, Mr. HEFNER, Mr. HINCHEY, Mr. HILLIARD, Mr. HOBSON, Mr. HOAGLAND, Mr. HOCHBRUECKNER, Mr. HOLDEN, Mr. HUTTO, Mr. HYDE, Mr. INHOFE, Mr. INSLEE, Mr. JACOBS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of South Dakota, Mr. KANJORSKI, Mr. KASICH, Mr. KENNEDY, Mr. KILDEE, Mr. KING, Mr. KLEIN, Mr. KNOLLENBERG, Mr. KOPETSKI, Mr. KREIDLER, Mr. LAFALCE, Mr. LANCASTER, Mr. LANTOS, Mr. LEACH, Mr. LEVIN, Mr. LEVY, Mr. LIVINGSTON, Mr. MCDERMOTT, Mr. MCINNIS, Mr. MCNULTY, Mrs. MALONEY, Mr. MANTON, Mr. MARKEY, Mr. MARTINEZ, Mr. MATSUI, Mr. MEEHAN, Mrs. MEEK, Mrs. MEYERS of Kansas, Mrs. MINK, Mr. MONTGOMERY, Mr. MOAKLEY, Mr. MENENDEZ, Mr. MINGE, Mr. MORAN, Mr. MOORHEAD, Mrs. MORELLA, Mr. MURPHY, Mr. MURTHA, Mr. NADLER, Mr. NATCHER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OBEY, Mr. OWENS, Mr. PALLONE, Mr. PARKER, Mr. PAYNE of Virginia, Ms. PELOSI, Mr. PETERSON of Florida, Mr. PORTER, Mr. POMEROY, Mr. POSHARD, Mr. PRICE of North Carolina, Mr. QUINN, Mr. RAVENEL, Mr. REED, Mr. REGULA, Mr. REYNOLDS, Mr. ROEMER, Ms. ROYBAL-ALLARD, Mr. SABO, Mr. SAWYER, Mr. SCHAEFER, Mr. SCHIFF, Mr. SERRANO, Mr. SHAYS, Mr. SKEEN, Mr. SLATTERY, Mr. SMITH of Texas, Mr. SPENCE, Mr. SPRATT, Mr. STARK, Mr. TANNER, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. TRAFICANT, Mr. TUCKER, Mr. VALENTINE, Ms. VELÁZQUEZ, Mr. VOLKMER, Mr. WALSH, Mr. WAXMAN, Mr. WOLF, Ms. WOOLSEY, Mr. WYNN, Mr. YOUNG of Alaska, and Mr. MCCOLLUM.
H.J. Res. 253: Mr. FISH, Mr. JOHNSON of South Dakota, and Mr. VALENTINE.
H.J. Res. 285: Mr. LIPINSKI, Mr. DEUTSCH, Ms. FURSE, Mr. MARTINEZ, and Mr. WALSH.
H. Con. Res. 20: Mr. GEJDENSON and Mr. WAXMAN.
H. Con. Res. 49: Mr. FRANK of Massachusetts.
H. Con. Res. 52: Mr. NEAL of Massachusetts.
H. Con. Res. 61: Mr. LANTOS, Mr. CONYERS, Mr. EVANS, Mr. BORSKI, Ms. NORTON, Mr. HINCHEY, Mr. NADLER, and Mr. GILMAN.
H. Con. Res. 91: Mr. APPLEGATE, Mr. VOLKMER, Mr. MFUME, Mr. SISISKY, Mr. DICKS, Mr. TAYLOR of Mississippi, Mr. MURPHY, Mr. STENHOLM, Mr. NADLER, Mr. COSTELLO, Mr. BEREUTER, Mr. CASTLE, Mr. GINGRICH, Mr. GOSS, Mr. GRAMS, Mr. KIM, Mr. MCDADE, Mr. WHEAT, Mr. JOHNSON of Georgia, Mrs. MEYERS of Kansas, Mr. MICHEL, Mr. POMBO, Mr. SCHIFF, Mr. SKEEN, Mr. SMITH of Oregon, Mr. TAYLOR of North Carolina, Mr. WALKER, Mr. ARCHER, Mr. STUPAK, and Mrs. MORELLA.
H. Con. Res. 98: Mr. BLUTE, Mr. TRAFICANT, and Mr. HALL of Texas.
H. Con. Res. 107: Mr. WYNN.
H. Con. Res. 110: Ms. FURSE, Ms. PELOSI, and Mr. BARCA of Wisconsin.
H. Con. Res. 126: Mr. NADLER.
H. Con. Res. 138: Ms. DELAURO, Mrs. MEEK, Mr. TEJEDA, Mr. EVANS, Mr. BARRETT of Wisconsin, Mr. FARR, and Mr. BARCA of Wisconsin.
H. Con. Res. 141: Mr. GILLMOR and Mr. BATEMAN.
H. Con. Res. 154: Mr. SCHIFF.
H. Con. Res. 159: Mr. SMITH of New Jersey and Mr. TORKILDSEN.
H. Con. Res. 166: Mr. SERRANO and Mr. MARTINEZ.
H. Con. Res. 176: Ms. MARGOLIES-MEZVINSKY.
H. Con. Res. 177: Mr. PORTER and Ms. FURSE.
H. Con. Res. 185: Mr. CASTLE and Mr. BATEMAN.
H. Res. 165: Mr. BROWDER, Mr. CALLAHAN, Ms. DUNN, and Ms. LONG.
H. Res. 166: Ms. SLAUGHTER and Mr. BORSKI.
H. Res. 236: Mr. COPPERSMITH, Mr. STUMP, Mr. HANSEN, Mr. DE LA GARZA, Mr. WALSH, Mr. PASTOR, Mr. OBERSTAR, Mrs. FOWLER, Mr. BUNNING, Mr. KASICH, Mr. JOHNSON of South Dakota, Ms. PRYCE of Ohio, Mr. BARLOW, Mr. DEUTSCH, Ms. BYRNE, Mr. FALEOMAVAEGA, Mr. SPENCE, Mr. MOORHEAD, Mr. POMEROY, Mr. NUSSLE, Mr. BAKER of California, Mr. SLATTERY, Mr. CALLAHAN, Mr. MANN, Mr. YATES, Mr. MENENDEZ, Mr. DICKEY, Mr. HALL of Ohio, Mr. COLLINS of Georgia, Mr. HYDE, Mr. CASTLE, Mr. SWETT, Mr. MORAN, Mr. ARCHER, Mr. RAHALL, Mr. TAYLOR of North Carolina, Mr. HUTCHINSON, Mr. MONTGOMERY, Mr. HUNTER, Mr. SUNDQUIST, Mr. SOLOMON, Mr. MICHEL, Mr. GONZALEZ, Mrs. MEEK, Mr. COOPER, Mr. KILDEE, Mr. SCHAEFER, Mr. MCDADE, Ms. BROWN of Florida, Mr. REYNOLDS, Mr. SKEEN, Mr. THOMAS of Wyoming, Mr. VALENTINE, Mr. BISHOP, Mr. HUTTO, Mr. BATEMAN, Mr. ROBERTS, Mr. EMERSON, Mr. LIPINSKI, Mr. GREENWOOD, Mr. SYNAR, Mr. BILIRAKIS, Mr. PETE GEREN of Texas, Mr. SMITH of New Jersey, Mr. TORRICELLI, Mr. UNDERWOOD, Mr. HILLIARD, Mr. JACOBS, Mr. SMITH of Texas, Mr. DE LUGO, Mr. JEFFERSON, Mr. JOHNSON of Georgia, Mr. MCCOLLUM, Mr. RAMSTAD, Mr. FRANKS of Connecticut, Mr. SAXON, Mr. GOODLATTE, Mr. STENHOLM, Mr. SERRANO, Mr. VOLKMER, Mrs. CLAYTON, Mr. WYNN, Mr. DARDEN, Mr. MFUME, Mr. DIAZ-BALART, and Mr. GIBBONS.
H. Res. 237: Mr. BAKER of California, Mr. SHAW, and Mr. WELDON.
H. Res. 239: Mr. HERGER of California.
H. Res. 255: Mr. BOEHNER, Mr. JACOBS, Ms. PRYCE of Ohio, and Mr. MILLER of Florida.
H. Res. 266: Mr. ZIMMER.
H. Res. 277: Mr. BURTON of Indiana.
H. Res. 281: Mr. REGULA, Mr. TRAFICANT, Mr. PETERSON of Florida, Mr. NUSSLE, Mr. HEFNER, Mr. MICHEL, Mr. GRANDY, Mr. MCINNIS, Mr. BEREUTER, Mr. SKELTON, Mr. WHITTEN, Mr. MURTHA, Mr. VOLKMER, Mr. PETRI, Mr. COOPER, Mr. YOUNG of Florida, Mr. HOKE, Mr. BORSKI, Mr. HOBSON, and Mr. TAUZIN.
H. Res. 323: Mr. GILMAN and Mr. TORRICELLI.

¶140.70 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 7: Mrs. MALONEY.
H.R. 526: Mr. MFUME.
H.R. 634: Mr. GORDON.
H.R. 937: Mr. GORDON.
H.R. 1078: Mr. GORDON.
H.R. 1151: Mr. MFUME.
H.R. 1200: Mr. MFUME.
H.R. 1246: Mr. MACHTLEY.
H.R. 1296: Mr. GORDON and Mr. MFUME.
H.R. 1699: Mr. MFUME.
H.R. 1705: Mr. FINGERHUT.
H.R. 3457: Mr. HANCOCK.

TUESDAY, NOVEMBER 23, 1993 (141)

The House was called to order by the SPEAKER.

¶141.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, November 22, 1993.

Pursuant to clause 1, rule I, the Journal was approved.

¶141.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

2180. A letter from the Comptroller General of the United States, transmitting an updated compilation of historical information and statistics regarding rescissions proposed by the executive branch and rescissions enacted by Congress (H. Doc. No. 103–175); to the Committee on Appropriations and ordered to be printed.

2181. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to the Federative Republic of Brazil, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking, Finance and Urban Affairs.

2182. A letter from the Secretary of Education, transmitting notice of final funding priorities—Research in education of individ-