



Bill Summary & Status

H.R.3128

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H.R.3128 [99th] HOUSE SENATE LAW

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Latest Title: Consolidated Omnibus Budget Reconciliation Act of 1985

Sponsor: [Rep Rostenkowski, Dan](#) [D-IL-8] (introduced 7/31/1985) **Cosponsors:** (none)

Committees: House Education and Labor; House Energy and Commerce; House Judiciary; House Ways and Means; Senate Finance

Related Bills:

[H.RES.301](#), [H.RES.330](#), [H.RES.342](#), [H.RES.349](#), [H.RES.390](#), [H.R.1](#), [H.R.5](#), [H.R.641](#), [H.R.1157](#),
[H.R.1279](#), [H.R.1641](#), [H.R.1926](#), [H.R.1958](#), [H.R.2078](#), [H.R.2121](#), [H.R.2250](#), [H.R.2450](#), [H.R.2709](#),
[H.R.2775](#), [H.R.2819](#), [H.R.2894](#), [H.R.3034](#), [H.R.3064](#), [H.R.3078](#), [H.R.3101](#), [H.R.3114](#), [H.R.3210](#),
[H.R.3290](#), [H.R.3500](#), [H.R.3881](#), [H.R.3930](#), [H.R.3941](#), [H.R.3979](#), [H.R.3992](#), [H.R.4083](#), [H.R.4100](#),
[H.R.4111](#), [H.R.4147](#), [H.R.4253](#), [S.813](#), [S.1730](#)

Latest Major Action: 4/7/1986 Became Public Law No: 99-272

Jump to: [Titles](#), [Major Actions](#), [Status](#), [Committees](#), [Related Bill Details](#), [Cosponsors](#),
[Summary](#), [Subjects](#)

TITLE(S): (*italics indicate a title for a portion of a bill*)

- POPULAR TITLE(S):
COBRA bill (identified by CRS)
- SHORT TITLE(S) AS INTRODUCED:
Deficit Reduction Amendments of 1985
Medicare Budget Reconciliation Amendments of 1985
- SHORT TITLE(S) AS REPORTED TO HOUSE:
Deficit Reduction Amendments of 1985
Medicare Budget Reconciliation Amendments of 1985
Single-Employer Pension Plan Amendments Act of 1985
- SHORT TITLE(S) AS ENACTED:
Consolidated Omnibus Budget Reconciliation Act of 1985
Amtrak Reauthorization Act of 1985
Coastal Zone Management Reauthorization Act of 1985
Housing and Community Development Reconciliation Amendments of 1985
Medicare and Medicaid Budget Reconciliation Amendments of 1985
Ocean and Coastal Resources Management and Development Block Grant Act
Outer Continental Shelf Lands Act Amendments of 1985
Single-Employer Pension Plan Amendments Act of 1986
Student Financial Assistance Amendments of 1985
Synthetic Fuels Corporation Act of 1985
Trade Adjustment Assistance Reform and Extension Act of 1986

*Veterans' Health-Care Amendments of 1986**Veterans' Health-Care and Compensation Rate Amendments of 1985*

- OFFICIAL TITLE AS INTRODUCED:

A bill to make changes in spending and revenue provisions for purposes of deficit reduction and program improvement, consistent with the budget process.

MAJOR ACTIONS: [[SELECTED](#)] (*dates in italics indicate Senate actions*) For more details, see: [Bill Status](#) Display.

- 7/31/1985* Introduced in House
- 7/31/1985* Reported to House by House Committee on Ways and Means. Report No: 99-241 (Part I).
- 9/11/1985* Reported to House (Amended) by House Committee on Education and Labor. Report No: 99-241 (Part II).
- 9/11/1985* Reported to House (Amended) by House Committee on The Judiciary. Report No: 99-241 (Part III).
- 9/11/1985* House Committee on Energy and Commerce Discharged by Motion.
- 10/31/1985* Passed/agreed to in House: Passed House (Amended) by Yea-Nay Vote: 245 - 174 (Record Vote No: 383).
- 11/14/1985* Committee on Finance. Reported to Senate by Senator Packwood with an amendment in the nature of a substitute. Without written report.
- 11/14/1985* Passed/agreed to in Senate: Passed Senate in lieu of [S. 1730](#) with an amendment and an amendment to the Title by Yea-Nay Vote. 93-6. Record Vote No: 314.
- 12/5/1985* Resolving differences -- House actions: House Concurred, in Senate Amendments , with Amendments by Unanimous Consent.
- 12/5/1985* Resolving differences -- House actions: House Insisted on its Amendments by Unanimous Consent.
- 12/19/1985* Conference Report 99-453 Filed in House.
- 12/19/1985* Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 78-1. Record Vote No: 379.
- 12/19/1985* Resolving differences -- Senate actions: Senate concurred in the House amendment to the Senate amendment with an amendment. By Voice Vote.
- 12/19/1985* Conference report disagreed to in House: House Disagreed to Conference Report Pursuant to [H.Res.349](#).
- 12/19/1985* Resolving differences -- House actions: House Receded and Concurred With an Amendment in Senate Amendments.
- 12/20/1985* Resolving differences -- House actions: House Disagreed to Senate Amendments by Voice Vote.
- 3/6/1986* Resolving differences -- House actions: House Receded from its Disagreement to Senate Amendment and Concurred with Amendment to Senate Amendment to House Amendment to Senate Amendment Pursuant to [H.Res.390](#).

3/14/1986 Resolving differences -- Senate actions: Senate concurred in the House amendment to the Senate amendment to the House amendment to the Senate with an amendment (SP 1673, as amended) by Voice Vote.

3/18/1986 Resolving differences -- House actions: House Disagreed to Senate Amendments to House Amendments to Senate Amendments by Yea-Nay Vote: 331 - 76 (Record Vote No: 57).

3/20/1986 Resolving differences -- House actions: House Receded and Concurred in the Senate Amendment to the House Amendment to the Senate Amendment to the House Amendment to the Senate Amendment by Yea-Nay Vote: 230-154 (Record Vote No. 66).

3/20/1986 Cleared for White House.

4/1/1986 Presented to President.

4/7/1986 Signed by President.

4/7/1986 Became Public Law No: 99-272.

STATUS: (*dates in italics indicate Senate actions*) ([Floor Actions/Congressional Record Page References](#))

7/31/1985:

Referred to House Committee on Education and Labor Sequentially, for a Period Ending not Later than Sep 11, 85, for Consideration of Section 505.

9/11/1985:

Committee Consideration and Mark-up Session Held.

9/11/1985:

Ordered to be Reported (Amended).

7/31/1985:

Referred to House Committee on Energy and Commerce Sequentially, for a Period Ending not Later than Sep 11, 85, for Consideration of Parts A and B of Title I.

7/31/1985:

Referred to House Committee on The Judiciary Sequentially, for a Period Ending not Later than Sep 11, 85, for Consideration of Section 124.

9/5/1985:

Referred to Subcommittee on Administrative Law and Governmental Relations.

9/10/1985:

Subcommittee Consideration and Mark-up Session Held.

9/10/1985:

Forwarded by Subcommittee to Full Committee (Amended).

9/10/1985:

Committee Consideration and Mark-up Session Held.

9/10/1985:

Ordered to be Reported (Amended).

7/31/1985:

Referred to House Committee on Ways and Means.

7/31/1985:

Reported to House by House Committee on Ways and Means. Report No: 99-241 (Part I).

9/11/1985:

Reported to House (Amended) by House Committee on Education and Labor. Report No: 99-241 (Part II).

9/11/1985:

Reported to House (Amended) by House Committee on The Judiciary. Report No: 99-241 (Part III).

9/11/1985:

House Committee on Energy and Commerce Discharged by Motion.

9/11/1985:

Placed on Union Calendar No: 163.

10/29/1985:

Committee on Rules Granted a Modified Closed Rule Providing Two Hours of General Debate.

10/29/1985:

Rules Committee Resolution [H.Res.301](#) Reported to House.

10/31/1985:

Rule Passed House.

10/31/1985:

Called up by House by Rule.

10/31/1985:

House Agreed to Amendments Adopted by the Committee of the Whole.

10/31/1985:

Passed House (Amended) by Yea-Nay Vote: 245 - 174 (Record Vote No: 383).

10/31/1985:

Motion to Recommit (with Instructions) Failed in House by Yea-Nay Vote: 183 - 238 (Record Vote No: 382).

11/7/1985:

Received in the Senate and read twice and referred to the Committee on Finance.

11/13/1985:

Committee on Finance requested executive comment from OMB, International Trade Commission, Office of the U.S. Trade Representative, Treasury Department, State Department, Commerce Department, Health and Human Services Department.

11/13/1985:

Committee on Finance. Ordered to be reported with an amendment in the nature of a substitute favorably.

11/14/1985:

Committee on Finance. Reported to Senate by Senator Packwood with an amendment in the nature of a substitute. Without written report.

11/14/1985:

Senate struck all after the Enacting Clause and substituted the language of [S. 1730](#) amended.

11/14/1985:

Passed Senate in lieu of [S. 1730](#) with an amendment and an amendment to the Title by Yea-Nay Vote. 93-6. Record Vote No: 314.

12/3/1985:

Committee on Rules Granted a Rule Providing that Upon Adoption of the Resolution, the House is Considered to Have Amended the Senate Amendments to [H.R.3128](#) by Inserting the Texts of [H.R.3128](#) and [H.R.3500](#) as Passed the House, to Have Insisted on Said Amendment and to Have Requested a Conference.

12/3/1985:

Rules Committee Resolution [H.Res.330](#) Reported to House.

12/5/1985:

House Concurred, in Senate Amendments , with Amendments by Unanimous Consent.

12/5/1985:

House Insisted on its Amendments by Unanimous Consent.

12/5/1985:

House Requested a Conference and Speaker Appointed Conferees: Aspin, Montgomery, Schroeder, Dickinson, Hillis, St Germain, Gonzalez, Mitchell, Lundine, Oakar, Vento, Frank, Wylie, McKinney, Roukema, Bartlett, LaFalce, Shumway, Hawkins, Ford (MI), Biaggi, Williams, Owens, Hayes, Perkins, Bruce, Gunderson.

12/5/1985:

House Requested a Conference and Speaker Appointed Conferees: Duncan, Crane, Gradison, Campbell, Thomas (CA), McGrath, de la Garza, Panetta, Jones (TN), Coelho, Bedell, Madigan, Emerson, Jeffords, Coleman (MO), Rose, Jones (NC), Natcher, Whitley, Tallon, Thomas (GA), Hopkins, Roberts, Franklin, Combest.

12/5/1985:

House Requested a Conference and Speaker Appointed Conferees: Swift, Shelby, Synar, Huckaby, Gejdenson, Young (AK).

12/5/1985:

House Requested a Conference and Speaker Appointed Conferees: Brooks, Fuqua, Weiss, Horton, Walker, McCandless, Udall, Seiberling, Weaver, Miller (CA), Rahall, Huckaby, Gejdenson, Young (AK), Lujan, Lagomarsino, Marlenee, Cheney.

12/5/1985:

House Requested a Conference and Speaker Appointed Conferees: Pashayan, Rodino, Glickman, Fish, Edwards (CA), Kindness, Anderson, Breaux, Studds, Lowry (WA), Bosco, Hughes, Snyder, Davis, Carney, Taylor, Gilman, Howard, Roe, Mineta, Oberstar, Nowak, Edgar.

12/5/1985:

House Requested a Conference and Speaker Appointed Conferees: Duncan, Crane, Gradison, Campbell, Thomas (CA), McGrath, de la Garza, Panetta, Jones (TN), Coelho, Bedell, Madigan, Emerson, Jeffords, Coleman (MO), Rose, Jones (NC), Hatcher, Whitley, Tallon, Thomas (GA), Hopkins, Roberts, Franklin, Combest.

12/5/1985:

House Requested a Conference and Speaker Appointed Conferees: Swift, Shelby, Synar, Lent, Ritter, Fields, Schaefer, Coats, Sharp, Markey, Moorhead, Oxley, Eckert (NY), Wirth, Rinaldo, Tauke, Nielson (UT), Florio, Richardson.

12/5/1985:

House Requested a Conference and Speaker Appointed Conferees: Aspin, Montgomery, Schroeder, Dickinson, Hillis, St Germain, Gonzalez, Mitchell, Lundine, Oakar, Vento, Frank, Wylie, McKinney, Roukema, Bartlett, LaFalce, Shumway, Hawkins, Ford (MI), Biaggi, Williams, Owens, Hayes, Perkins, Bruce, Gunderson.

12/5/1985:

House Requested a Conference and Speaker Appointed Conferees: McKernan, Henry.

12/9/1985:

Senate disagreed to the House amendment to the Senate amendment pursuant to the order of December 5, 1985.

12/9/1985:

Senate agreed to request for conference. Appointed conferees. Domenici; Armstrong; Kassebaum; Boschwitz; Symms; Hollings; Johnston; Sasser; Metzenbaum. (From the Committee on the Budget).

12/9/1985:

Senate appointed conferees Helms; Dole; Lugar; Cochran; Zorinsky; Leahy; Melcher (From the Committee on Agriculture, Nutrition, and Forestry).

12/9/1985:

Senate appointed conferees Goldwater; Nunn (From the Committee on Armed Services).

12/9/1985:

Senate appointed conferees Garn; Heinz; Hecht; Proxmire; Riegle (From the Committee on Banking, Housing, and Urban Affairs).

12/9/1985:

Senate appointed conferees Danforth; Packwood; Goldwater; Pressler; Gorton; Stevens; Hollings; Long; Inouye; Ford; Riegle (From the Committee on Commerce, Science and Transportation).

12/9/1985:

Senate appointed conferees Danforth; Packwood; Goldwater; Hollings; Long (From the Committee on Commerce, Science, and Transportation for consideration of Title VI, sec. 6701 only).

12/9/1985:

Senate appointed conferees McClure; Domenici; Wallop; Johnston; Ford (From the Committee on Energy and Natural Resources).

12/9/1985:

Senate appointed conferees McClure; Hatfield; Domenici; Johnston; Ford (From the Committee on Energy and Natural Resources for consideration of Title VI, sec. 6701 only).

12/9/1985:

Senate appointed conferees Stafford; Chafee; Simpson; Symms; Bentsen; Burdick; Lautenberg (From the Committee on Environment and Public Works).

12/9/1985:

Senate appointed conferees Packwood; Roth; Danforth; Chafee; Long; Bentsen; Matsunaga (From the Committee on Finance).

12/9/1985:

Senate appointed conferees Packwood; Chafee; Heinz; Mitchell; Moynihan (From the Committee on Finance for consideration of PBGC and ERISA subconference only).

12/9/1985:

Senate appointed conferees Durenberger; Baucus (From the Committee on Finance for consideration of CHAMPUS Medicare subconference only).

12/9/1985:

Senate appointed conferees Heinz; Wallop; Durenberger; Baucus; Pryor (From the Committee on Finance for consideration of private health insurance coverage subconference only).

12/9/1985:

Senate appointed conferees Roth; Stevens; Mathias; Cohen; Eagleton; Levin; Gore (From the Committee on Governmental Affairs).

12/9/1985:

Senate appointed conferees Hatch; Stafford; Quayle; Kennedy; Pell (From the Committee on Labor and Human Resources).

12/9/1985:

Senate appointed conferees Hatch; Nickles; Thurmond; Kennedy; Metzenbaum (From the Committee on Labor and Human Resources for consideration of PBGC and ERISA subconference only).

12/9/1985:

Senate appointed conferees Weicker; Gorton; Bumpers (From the Committee on Small Business).

12/9/1985:

Senate appointed conferees Murkowski; Simpson; Cranston (From the Committee on Veterans' Affairs).

12/16/1985:

Committee on Rules Granted a Rule Waiving all Points of Order Against a Rule Providing for the Consideration of the Conference Report.

12/16/1985:

Rules Committee Resolution [H.Res.342](#) Reported to House.

12/19/1985:

Conferees agreed to file conference report.

12/19/1985:

Conference Report 99-453 Filed in House.

12/19/1985:

Conference report considered in Senate.

12/19/1985:

Senate agreed to conference report by Yea-Nay Vote. 78-1. Record Vote No: 379.

12/19/1985:

House message on [H.R. 3128](#) laid before the Senate by Unanimous Consent.

12/19/1985:

Senate concurred in the House amendment to the Senate amendment with an amendment. By Voice Vote.

12/19/1985:

Rules Committee Resolution [H.Res.349](#) Reported to House.

12/19/1985:

Rule Passed House.

12/19/1985:

House Disagreed to Conference Report Pursuant to [H.Res.349](#).

12/19/1985:

House Receded and Concurred With an Amendment in Senate Amendments.

12/20/1985:

House Disagreed to Senate Amendments by Voice Vote.

12/20/1985:

Considered by Senate.

12/20/1985:

Motion to table the Senate amendment to the House amendment to the Senate amendment rejected in Senate by Yea-Nay Vote. 29-35. Record Vote No: 380.

12/20/1985:

Motion to recede from the Senate amendment rejected in the Senate by Yea-Nay Vote. 30-35. Record Vote No: 381.

12/20/1985:

Motion to insist on the Senate amendment made in Senate.

12/20/1985:

Senate insists on its amendments, asks for a conference, appoints conferees Domenici; Armstrong; Kassebaum; Symms; Chiles; Hollings; Johnston; Sasser (from the Committee on the Budget).

12/20/1985:

Senate appointed conferees McClure; Domenici; Wallop; Johnston; Ford (From the Committee on Energy and Natural Resources).

12/20/1985:

Senate appointed conferees Helms; Dole; Lugar; Cochran; Zorinsky; Leahy; Melcher Committee on Agriculture, Nutrition and Forestry.

12/20/1985:

Senate appointed conferees Goldwater; Nunn (Committee on Armed Services).

12/20/1985:

Senate appointed conferee Garn; Heinz; Proxmire; Riegle (Committee on Banking Housing Housing

and Urban Affairs).

12/20/1985:

Senate appointed conferees Danforth; Packwood; Goldwater; Pressler; Gorton; Stevens; Hollings; Long; Inouye; Ford; Riegle (Committee on Commerce, Science, and Transportation).

12/20/1985:

Senate appointed conferees Danforth; Packwood; Goldwater; Hollings; Long (Committee on Commerce, Science, and Transportation for the consideration of sec. 6701 of title VI only).

12/20/1985:

Senate appointed conferees McClure; Hatfield; Domenici; Johnston; Ford (Committee on Energy and Natural Resources for the consideration of sec. 6701 of title VI only).

12/20/1985:

Senate appointed conferees Stafford; Chafee; Simpson; Symms; Bentsen; Burdick; Lautenberg (Committee on Environment and Public Works).

12/20/1985:

Senate appointed conferees Packwood; Roth; Danforth; Chafee; Long; Bentsen; Matsunaga (Committee on Finance).

12/20/1985:

Senate appointed conferees Packwood; Chafee; Heinz; Mitchell; Moynihan (Committee on Finance-for PBGC and ERISA Subconference only).

12/20/1985:

Senate appointed conferees Durenberger; Baucus (Committee on Finance-for CHAMPUS and Medicare Subconference only).

12/20/1985:

Senate appointed conferees Heinz; Wallop; Durenberger; Baucus; Pryor (Committee on Finance for private health insurance coverage subconference).

12/20/1985:

Senate appointed conferees Roth; Stevens; Mathias; Cohen; Eagleton; Levin; Gore (Committee on Governmental Affairs).

12/20/1985:

Senate appointed conferees Hatch; Stafford; Quayle; Kennedy; Pell (Committee on Labor).

12/20/1985:

Senate appointed conferees Hatch; Nickles; Thurmond; Kennedy; Metzenbaum (Committee on Labor for consideration of PBGC and ERISA subconference).

12/20/1985:

Senate appointed conferees Weicker; Gorton; Bumpers (Committee on Small Business).

12/20/1985:

Senate appointed conferees Murkowski; Simpson; Cranston (From the Committee on Veterans' Affairs).

3/5/1986:

Rules Committee Resolution [H.Res.390](#) Reported to House.

3/6/1986:

House Receded from its Disagreement to Senate Amendment and Concurred with Amendment to Senate Amendment to House Amendment to Senate Amendment Pursuant to [H.Res.390](#).

3/13/1986:

[S.AMDT.1673](#) Proposed by Senator Simpson for Senator Domenici.

Of a perfecting nature.

3/13/1986:

House message on the bill laid before the Senate by Unanimous Consent.

3/14/1986:

[S.AMDT.1674](#) Proposed by Senator Johnston to Amendment SP 1673.

Providing that notwithstanding any other provision of the Act, the amounts due and payable to the State of Louisiana prior to October 1, 1986, under subtitle A of Title VIII (Outer Continental Shelf and Related Programs) of the Act shall remain in their separate accounts in the Treasury of the United States and continue to accrue interest until October 1, 1986, at which time the Secretary shall immediately distribute such sums which accrued interest to the State of Louisiana.

3/14/1986:

[S.AMDT.1675](#) Proposed by Senator Wilson.

To make a perfecting amendment.

3/14/1986:

[S.AMDT.1673](#) Considered by Senate.

3/14/1986:

[S.AMDT.1674](#) Amendment SP 1674 agreed to in Senate by Voice Vote.

3/14/1986:

[S.AMDT.1675](#) Motion to table SP 1675 agreed to in Senate by Yea-Nay Vote. 53-35. Record Vote No: 39.

3/14/1986:

[S.AMDT.1673](#) Amendment SP 1673 agreed to in Senate by Voice Vote.

3/14/1986:

Considered by Senate.

3/14/1986:

Senate concurred in the House amendment to the Senate amendment to the House amendment to the Senate with an amendment (SP 1673, as amended) by Voice Vote.

3/18/1986:

House Disagreed to Senate Amendments to House Amendments to Senate Amendments by Yea-Nay Vote: 331 - 76 (Record Vote No: 57).

3/18/1986:

Senate insists on its amendments to the House amendment to the Senate amendment to the House amendment to the Senate amendment by Voice Vote.

3/20/1986:

House Receded and Concurred in the Senate Amendment to the House Amendment to the Senate Amendment to the House Amendment to the Senate Amendment by Yea-Nay Vote: 230-154 (Record Vote No. 66).

3/20/1986:

Cleared for White House.

4/1/1986:

Measure Signed in Senate.

4/1/1986:

Presented to President.

4/7/1986:

Signed by President.

4/7/1986:

Became Public Law No: 99-272.

COMMITTEE(S):

Committee/Subcommittee:	Activity:
House Education and Labor	Referral, Markup, Reporting
House Energy and Commerce	Referral, Discharged
House Judiciary	Referral, Markup, Reporting
Subcommittee on Administrative Law and Governmental Relations	Referral, Markup, Reporting
House Ways and Means	Referral, Reporting
Senate Finance	Referral, Markup, Reporting

Related Bills Identified by CRS, House, and Senate Staff: [\[Help\]](#)

Bill:	Relationship:
H.RES.301	Rule related to H.R.3128 in House
H.RES.330	Rule related to H.R.3128 in House
H.RES.342	Rule related to H.R.3128 in House
H.RES.349	Rule related to H.R.3128 in House
H.RES.390	Rule related to H.R.3128 in House
H.R.1	Related bill identified by CRS
H.R.5	Related bill identified by CRS
H.R.641	Related bill identified by CRS
H.R.1157	Related bill identified by CRS
H.R.1279	Related bill identified by CRS
H.R.1641	Related bill identified by CRS
H.R.1926	Related bill identified by CRS
H.R.1958	Related bill identified by CRS
H.R.2078	Related bill identified by CRS
H.R.2121	Related bill identified by CRS
H.R.2250	Related bill identified by CRS
H.R.2450	Related bill identified by CRS
H.R.2709	Related bill identified by CRS
H.R.2775	Related bill identified by CRS
H.R.2819	Related bill identified by CRS
H.R.2894	Related bill identified by CRS
H.R.3034	Related bill identified by CRS
H.R.3064	Related bill identified by CRS
H.R.3078	Related bill identified by CRS
H.R.3101	Related bill identified by CRS
H.R.3114	Related bill identified by CRS
H.R.3210	Related bill identified by CRS

H.R.3290	Related bill identified by CRS
H.R.3500	Related bill identified by CRS
H.R.3881	Related bill identified by CRS
H.R.3930	Related bill identified by CRS
H.R.3941	Related bill identified by CRS
H.R.3979	Related bill identified by CRS
H.R.3992	Related bill identified by CRS
H.R.4083	Related bill identified by CRS
H.R.4100	Related bill identified by CRS
H.R.4111	Related bill identified by CRS
H.R.4147	Related bill identified by CRS
H.R.4253	Related bill identified by CRS
S.813	Related bill identified by CRS
S.1730	Related bill identified by CRS

COSPONSOR(S):

NONE

SUMMARY AS OF:

12/19/1985--House disagreed to Senate amendment. (There are 3 [other summaries](#))

(House disagreed to Senate amendment)

Consolidated Omnibus Budget Reconciliation Act of 1985 - **Title I: Agricultural Programs - Subtitle A: Agricultural Program Savings** - Declares that, for purposes of determining savings under this Act, the expenditures and outlays resulting from title XI (export sales of dairy products) and title XIII (emergency disaster loans and loan authorizations under the Agricultural Credit Insurance Fund) of the Food Security Act of 1985 (H.R. 2100) shall be counted as having been enacted under this Act.

Subtitle B: Tobacco Program Improvements - Amends the Agricultural Act of 1949 to set the price supports for the 1985 and 1986 crops of: (1) Flue-cured tobacco at \$1.438 per pound; and (2) Burley tobacco at \$1.488 per pound.

Sets the price support level for any kind of tobacco (other than Flue-cured and Burley) for which marketing quotas are in effect or not disapproved by producers at the preceding year's price, plus or minus the amount by which the current crop's price is greater or less than the preceding year's price, as such difference may be adjusted by the Secretary of Agriculture. Authorizes the Secretary to reduce the support level if requested by a producer association.

Sets the price support level for the 1987 and subsequent crops of Flue-cured and Burley tobacco at the preceding year's level, plus or minus an adjustment of 65 percent to 100 percent of the total of: (1) two-thirds of the amount by which the previous five years' average marketing price is greater or less than the preceding year's average price; and (2) one-third of the change in the index of prices paid by tobacco farmers during the previous calendar year. Sets forth reduction adjustments for the average prices of the 1984 and 1985

marketing years.

Repeals the provision authorizing the Secretary to reduce price supports for certain low quality grades of Flue-cured tobacco.

Amends the Agricultural Adjustment Act of 1938 to establish reserve tobacco stock levels for: (1) Flue-cured at the greater of 100,000,000 pounds or 15 percent of such tobacco's national marketing quota; and (2) Burley at the greater of 50,000,000 pounds or 15 percent of such tobacco's national marketing quota.

Requires the Secretary to set the national marketing quota for Flue-cured and Burley at between 103 percent and 97 percent of the total of: (1) the aggregate of projected cigarette purchases; (2) the previous three years' average annual exports; and (3) the amount of tobacco the Secretary determines necessary to increase or decrease producer association inventories to maintain such inventories at reserve stock levels.

Requires the national marketing quota for both Flue-cured and Burley tobacco to be at least: (1) 94 percent of the preceding year's quota for the 1986 through 1989 marketing years; and (2) 90 percent for the 1990 through 1993 marketing years.

Limits downward adjustments in the national Burley marketing quota to the greater of: (1) 35,000,000 pounds; or (2) 50 percent of the amount by which total Burley inventories of a producer association exceed reserve stock levels.

Requires cigarette manufacturers to submit to the Secretary an annual confidential projection of the amount of Flue-cured and Burley tobacco they intend to buy at auction or from producers during the succeeding marketing year. Directs the Secretary to establish the projection if a manufacturer fails to provide such information. Subjects Department of Agriculture officers or employees to loss of office and fines or imprisonment for violations of such confidentiality provisions.

Reduces the amount of Flue-cured and Burley tobacco that may be marketed without penalty from 110 percent to 103 percent of the farm marketing quota.

Establishes the annual marketing quota announcement date for: (1) Burley tobacco as February 1; and (2) other tobacco as March 1.

Requires cigarette manufacturers to submit to the Secretary on a confidential basis at the end of each marketing year the amount of Flue-cured and Burley tobacco purchases during such year.

Subjects manufacturers to a penalty (twice the per pound assessment times the amount by which purchases are less than 90 percent of projected purchases) for failure to purchase at least 90 percent of their Burley and Flue-cured projected purchases. Requires penalties to be transmitted to the appropriate associations for deposit in the No Net Cost Fund or Account.

Requires Flue-cured and Burley tobacco purchasers to pay to the appropriate associations assessments on all purchases of such tobacco marketed by a producer from a farm. States that such assessments shall be determined so that producers and purchasers share equally in maintaining association Funds.

Requires assessments to be collected from: (1) the person acquiring the tobacco; (2) the warehouseman or agent if the tobacco is marketed through such person; or (3) the producer on sales (by the producer) to a person outside the United States. Subjects persons who fail to collect and remit such assessment to a penalty. Provides for: (1) notice and hearing opportunity; and (2) U.S. district court review.

Provides that for the 1986 and subsequent Burley crops assessments shall be determined without regard to any losses the Commodity Credit Corporation (CCC) may sustain with respect to the 1983 Burley Crop.

Provides with regard to inventory purchases that: (1) 1976 through 1984 Flue-cured stocks shall be offered for sale at the base prices (including carrying charges) in effect on the offer date, reduced by 90 percent for 1976 through 1981 tobacco, and ten percent for 1982 through 1984 tobacco; and (2) 1982 Burley stocks shall be offered for sale at the July 1, 1985, price and 1984 stocks shall be offered for sale at the associations' costs as of the date of enactment of this Act.

Directs the CCC, with regard to the 1983 Burley crop, to: (1) take title to such crop held by the associations by calling in the loans on such tobacco; (2) offer such crop for sale as the CCC deems appropriate; and (3) offer any stocks remaining two years after such loan call-in at the associations' costs on the loan call date, reduced by 90 percent.

Authorizes cigarette manufacturers to purchase tobacco inventories over an eight-year period for Flue-cured tobacco and a five-year period for Burley tobacco. Requires the Secretary to approve purchase agreements.

Directs the Secretary to conduct studies of: (1) the tobacco grading system; and (2) the feasibility of establishing grades to designate disaster-affected crops, including price support adjustment authority. Requires a report to the appropriate congressional committees.

Amends the Tobacco Inspection Act to authorize the Secretary to invest tobacco inspection fees to cover the cost of related services.

Title II: Armed Services and Defense-Related Programs - Amends Federal armed forces' medical care provisions to give the United States the right to collect from a third-party payer the reasonable cost of inpatient hospital care in a facility of the uniformed services provided to certain members of the armed forces and their dependents. Allows hospital records to be examined to determine the reasonable costs of such services. Directs the Secretary of Defense to prescribe regulations to administer this provision.

Amends the Department of Defense Authorization Act, 1985 to extend from February 28, 1985, to June 30, 1986, the deadline for a report on the use of the Medicare prospective payment program under the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS).

Title III: Housing and Community Development Programs - Housing and Community Development Reconciliation Amendments of 1985 - Amends the Housing and Community Development Act of 1974 to prohibit the Federal Financing Bank from purchasing certain locally-issued notes and obligations guaranteed by the Secretary of Housing and Urban Development. Authorizes a specified sum for public housing operating subsidies in FY 1986.

Amends the United States Housing Act of 1937 to direct the Secretary to forgive the repayment of outstanding principal and interest on certain loans made to public housing agencies and on certain notes and obligations issued by the Secretary to the Secretary of the Treasury with respect to Indian housing.

Authorizes levels of rural housing loans in FY 1986. Sets forth requirements regarding the Secretary's sale of rural housing loans issued, or guaranteed and purchased, by the Secretary.

Extends to March 17, 1986: (1) Federal Housing Administration mortgage insurance programs established under the National Housing Act; (2) rehabilitation loan authority provided by the Housing Act of 1964; (3) rural housing authority provided by the Housing Act of 1949; (4) flood and crime insurance programs

established under the National Flood Insurance Act of 1968; and (5) miscellaneous provisions of other specified Federal laws.

Title IV: Transportation and Related Programs - Subtitle A: Railroads - Amtrak Reauthorization Act of 1985 - Amends the Rail Passenger Service Act to authorize appropriations for the National Railroad Passenger Corporation (Amtrak) for FY 1986 through 1988.

Requires that certain appropriated funds designated by Amtrak for nonoperational capital projects be used to maintain Amtrak's rail system operations at the level in effect on the date of enactment of this Act (unless funds are otherwise available to maintain such operations at substantially the same level of service).

Amends the Rail Passenger Service Act to provide that preferred stock issued by Amtrak to the Secretary of Transportation in return for Federal financial assistance shall be deemed to have been issued as of the date that Amtrak received such assistance (thus allowing Amtrak to take advantage of a certain depreciation allowance).

Permits Amtrak to participate in the contract air program administered by the General Services Administration in markets where service provided by Amtrak is competitive (thus including Amtrak among the competitors for the Federal employee travel market).

Sets February 15 as the annual deadline for Amtrak to submit specified data to the Congress.

Repeals the requirement that Amtrak enter into industry-wide rail carrier agreements regarding the operation of special and charter trains between specific routes.

Authorizes the Comptroller General to conduct annual audits of Amtrak activities (thus making such audits discretionary instead of mandatory).

Repeals title VII of the Rail Passenger Service Act, which provides for federally guaranteed emergency financial assistance to enable railroads to enter into operating contracts with Amtrak.

Amends the Railroad Revitalization and Regulatory Reform Act of 1976 to repeal the requirement that Amtrak and the Secretary of Transportation submit annual reports to the Congress regarding revenues and ridership of the Northeast Corridor Improvement Project.

Amends the Rail Passenger Service Act to repeal the requirement that Amtrak establish a Performance Evaluation Center.

Requires Amtrak to set a goal, beginning in FY 1986, of recovering at least 61 percent of its operating costs from its revenues (currently the statutory goal is to recover 50 percent of operating costs from revenues).

Requires Amtrak and representatives of Amtrak employees to negotiate changes in existing agreements that will result in cost savings to Amtrak, and requires the results of such negotiations to be reported to the Congress within a specified time.

Prohibits Amtrak from reducing the frequency of service on any line which, on May 1, 1985, had three or fewer trains operating per week.

Amends the Regional Rail Reorganization Act of 1973 to require the Railroad Retirement Board to issue a warning to any railroad which fails to notify the Board of job vacancies. Establishes a civil penalty to be

imposed upon a railroad which is found guilty of two or more failures to notify the Board of job vacancies. Extends from four years to six years the expiration date of the central register of railroad employment maintained by the Board.

Amends the Rail Passenger Service Act to provide for Amtrak auto-ferry service of unoccupied vehicles when space is available.

Amends the Rail Passenger Service Act to authorize Amtrak to discontinue commuter train service which does not meet the avoidable loss per passenger mile criterion for short distance trains unless an affected State agrees to ensure that such criterion will be met.

States that a joint congressional resolution shall be the congressional oversight mechanism for any changes proposed by Amtrak to its Route and Service criteria.

Eliminates the passenger mile per train mile criterion for Amtrak route service.

Amends the Northeast Rail Service Act of 1981 to prohibit the Interstate Commerce Commission from allowing cross subsidization between intercity and commuter rail passenger service in the Commission's resolution of Northeast Corridor cost disputes involving non-Amtrak commuter authorities and freight railroads.

Amends the Northeast Rail Service Act of 1981 to repeal the requirement that the Commission determine within a specified time a costing methodology for compensation to Amtrak by Conrail for certain rail freight service over the Northeast Corridor.

Amends the Rail Passenger Service Act to reduce from 180 days to 120 days the period within which the Commission must: (1) resolve rail service compensation disputes; and (2) modify the criteria used by the Commission in determining Amtrak's compensation for use of the Northeast Corridor by freight railroads and commuter authorities.

Authorizes appropriations for FY 1986 through 1988 for local rail service assistance. Declares that no funds are authorized to be appropriated for any period after FY 1988.

Subtitle B: Highway Programs - Amends the Highway Improvement Act of 1982 to reduce highway apportionments for the primary system. Amends the Highway Safety Act of 1982 to reduce apportionments for bridge replacement and rehabilitation. Amends the Federal-Aid Highway Act of 1978 to reduce highway apportionments for resurfacing, reconstructing, rehabilitating, and restoring routes on the National System of Interstate and Defense Highways. Directs the Secretary of Transportation (the Secretary) to determine apportionment adjustments based on such reductions on the first day following the effective date of this Act.

Sets an obligation ceiling for FY 1986 through 1988 for Federal-aid highways and highway safety reconstruction programs. Specifies exceptions. Provides guidelines for FY 1986 through 1988 for: (1) the distribution of obligational authority; and (2) the redistribution of unused obligational authority.

Increases from the \$30,000,000 to \$55,000,000 the amount of emergency relief which the Secretary is authorized to expend for natural disasters or catastrophic failures occurring in any State in 1985.

Directs the Secretary to permanently withhold ten percent of highway funds apportionments from any State which does not have in effect a permanent 21-year-old minimum drinking age on the first day of FY 1989. Deems a State to be in compliance with the 21 year old national minimum drinking age requirement if such

State has enacted a law within a specified time period which allows persons under 21 who had the right to drink under previous law to retain their legal drinking age status.

Amends the Federal-Aid Highway Act of 1978 to provide that funds which exceed the amounts needed for certain bridge demonstration projects shall be available to implement certain state-of-the-art bridge technology demonstration projects in Ohio. Requires the Secretary to report to the Congress regarding the results of using such technology.

Title V: Corporation for Public Broadcasting and Federal Communications Commission - Amends the Communications Act of 1934 to authorize appropriations for FY 1986 through 1988 to be used by the Secretary of Commerce to assist in the planning and construction of public telecommunications facilities. Repeals a provision that requires 75 percent of the funds appropriated for such purposes in a fiscal year to be available to extend delivery of public telecommunications services to areas not receiving such services. Authorizes appropriations, to match up to a specified amount of non-Federal contributions to public broadcasting entities, for the Public Broadcasting Fund for FY 1987 through 1990. Repeals a provision that requires that a specified portion of the amount made available to the Corporation for Public Broadcasting from the Fund be earmarked for expenses of research, training, technical assistance, engineering, instructional support, and the payment of interest on indebtedness.

Repeals provisions requiring a public telecommunications entity to refund to the Corporation for Public Broadcasting an amount of Federal funds equal to the amount of any unrelated business income tax paid by such entity.

Authorizes appropriations for the Federal Communications Commission for FY 1986 and 1987. Extends the effectiveness of provisions concerning the reimbursement of travel expenses of Commission officers or employees through FY 1987.

Changes the deadline for the Commission's annual report to the Congress from January 31 to March 31.

Sets forth a schedule of charges to be implemented and assessed by the Commission for specified administrative services. Directs the Commission to review and adjust such charges (in certain increments) every two years to reflect changes in the Consumer Price Index. Exempts from such charges specified radio public services. Permits the Commission to: (1) dismiss any application or other filing for failure to pay any charge in a timely manner; and (2) waive or defer payment of a charge to promote the public interest.

Title VI: Maritime, Coastal Zone, and Related Programs - Subtitle A: Boating Safety Fund - Transfers a specified amount from the Boat Safety Account to be used by the department in which the Coast Guard is operating for various Coast Guard activities.

Subtitle B: NOAA Nautical and Aeronautical Products - Revises generally provisions concerning the sale by the Secretary of Commerce of nautical and aeronautical products created or published by the National Oceanic and Atmospheric Administration (NOAA).

Subtitle C: Foreign Fishing Permit Fees - Amends the Magnuson Fishery Conservation and Management Act to revise provisions concerning payment to the Secretary of Commerce of fishing fees by the owners or operators of foreign fishing vessels operating within the fishery conservation zone of the United States.

Subtitle D: Ocean and Coastal Resources Management and Development Block Grant Act - Establishes within the Treasury an Ocean and Coastal Resources Management and Development Fund. Limits the total amount payable into the Fund during any fiscal year.

Directs the Secretary of Commerce to use specified portions of such funds to provide national ocean and coastal resources management and development block grants to each coastal State.

Requires such States to report grant allocation and project information and provide opportunity for public comment before receiving such grants. Requires States receiving block grants to submit audits to the Secretary concerning the amount of grant received and its allocation. Directs the Secretary, after receiving such audits, to take appropriate action regarding the continued use by such States of grant funds. Directs the Secretary to promulgate regulations to carry out these provisions.

Subtitle E: Amendments to the Coastal Zone Management Act - Coastal Zone Management

Reauthorization Act of 1985 - Amends the Coastal Zone Management Act to phase-down the Federal share of the development, implementation, and operation of coastal zone management programs from 80 percent to 50 percent over a three-year period. Directs any State receiving Federal funds to promptly notify the Secretary of Commerce of any proposed program changes. Requires the Secretary to notify the State of its approval or disapproval to such changes within 30 days of notice from the State of such proposed changes.

Establishes the National Estuarine Reserve Research System (the System). Authorizes the Secretary to designate an estuarine area as a national estuarine research reserve upon certain findings. Requires the Secretary to develop guidelines for research within the System. Requires the Secretary to promote and coordinate the utilization of such reserves. Authorizes the Secretary to make grants to coastal States for acquisition or operation of such reserves or to a coastal State or other entity to support research and monitoring within a reserve. Sets per-reserve grant limits. Directs the Secretary to periodically evaluate the operation and management of each reserve and its research. Authorizes the Secretary to suspend a reserve from eligibility for financial assistance or withdraw its designation as a national reserve upon certain findings. Outlines information to be included in annual reports concerning such reserves.

Repeals Federal provisions which establish: (1) research and technical assistance grants for coastal zone management; and (2) the Coastal Zone Management Advisory Committee and certain other positions.

Adjusts the authorization of appropriations for administrative grants to States for coastal resources management programs and for the establishment of national estuarine sanctuaries.

Subtitle F: National Oceanic and Atmospheric Administration - Authorizes appropriations to the Department of Commerce for fiscal years 1986 and 1987 to enable the National Oceanic and Atmospheric Administration to carry out specified functions during such period.

Subtitle G: Marine Protection, Research, and Sanctuaries Act Amendments - Makes various amendments to the Marine Protection, Research, and Sanctuaries Act of 1972 concerning reports, research requirements, and regional management plans under such Act. Authorizes appropriations under such Act for fiscal years 1986 and 1987.

Subtitle H: National Ocean Pollution Planning Act Amendments - Amends the National Ocean Pollution Planning Act of 1978 to add as a purpose of such Act to provide for the effective coordination of research concerning the environmental quality of the Great Lakes, the Chesapeake Bay, Puget Sound, and other estuaries of national significance.

Establishes within NOAA the National Ocean Pollution Program Office. Outlines various organizational aspects for such Office.

Directs the Administrator of NOAA to ensure that findings and information concerning Great Lakes ocean

pollution research activities are properly disseminated to the Federal Government and to State governments.

Authorizes appropriations under the National Ocean Pollution Planning Act of 1978 for fiscal years 1986 and 1987.

Subtitle I: Weather Modification - Authorizes appropriations under "An Act to provide for the reporting of weather modification activities to the Federal Government" for FY 1986 through 1988. Directs the Administrator of NOAA to take such actions to ensure the future availability and usefulness of ocean satellite data to the maritime community.

Restricts the awarding of contracts by the NOAA for the performance of any commercial activities until certain reporting requirements have been met.

Amends the National Climate Program Act to revise provisions concerning the establishment and functions of the Climate Program Policy Board.

Amends Federal law to authorize the Secretary of Commerce to establish the terms of any cooperative agreements entered into by NOAA for mapping and charting surveys.

Subtitle J: Maritime Authorizations - Authorizes appropriations to the Department of Transportation for FY 1986 for specified activities, including funds for the Federal Maritime Commission.

Title VII: Energy and Related Programs - Subtitle A: Pipeline Programs - Authorizes appropriations for FY 1986 to implement Federal grants-in-aid provisions of the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979. Directs the Secretary to: (1) prepare a grants-merger report regarding the Secretary's recommendations for a potential merger and joint administration of the Federal grants-in-aid under such Acts; and (2) establish a user fees schedule for natural gas and hazardous liquid pipelines starting FY 1986.

Subtitle B: Strategic Petroleum Reserve - Requires the Strategic Petroleum Reserve to be filled at an annual average rate of 35,000 barrels per day for FY 1986 through 1988. Authorizes appropriations for such purpose for FY 1986 through 1988.

Authorizes appropriations for the implementation of the Strategic Petroleum Reserve Plan (excluding the acquisition of petroleum products for such Reserve) for FY 1986 through 1988.

Amends the Energy Policy and Conservation Act to: (1) increase from 500,000,000 to 527,000,000 the minimum quantity of crude oil barrels which must be in storage within the Strategic Petroleum Reserve (SPR) before any portion of the Federal share of crude oil in the Elk Hills Naval Petroleum Reserve may be sold or disposed of; and (2) decrease from 100,000 barrels to 35,000 barrels the minimum average daily rate increase of crude oil that must be in storage in the SPR before such Federal portion in the Elk Hills Naval Petroleum Reserve may be sold or disposed of.

Subtitle C: Federal Energy Conservation Shared Savings - Amends the National Energy Conservation Policy Act to: (1) authorize the head of a Federal agency to contract for energy savings for maximum periods of 25 years; and (2) require progress reports regarding such energy savings to be included in certain annual reports submitted by the Secretary of Energy.

Subtitle D: Biomass Energy and Alcohol Fuels Loan Guarantees - Amends the Biomass Energy and Alcohol Fuels Act of 1980 to: (1) extend from September 30, 1984 to June 30, 1986, the authority of the

Secretary of Energy to incur specified financial obligations (including loan and price guarantees); and (2) authorize the Secretary to modify any conditional loan guarantee commitments made prior to October 1, 1984.

Subtitle E: Synthetic Fuels - Synthetic Fuels Corporation Act of 1985 - Terminates the United States Synthetic Fuels Corporation within 120 days of enactment of this Act. Transfers to the Secretary of the Treasury the duties of the Chairman of the Board of the Corporation. Requires the Corporation to report to the Congress regarding the implementation of a specified business plan and of a national synthetic fuel production strategy.

Subtitle F: Uranium Enrichment - Authorizes appropriations to the Department of Energy for FY 1986 through 1988 for the implementation of uranium enrichment service activities. Requires the Secretary of Energy to deposit into the Treasury general fund as partial repayment of unrecovered Federal cost specified revenues received by the Department of Energy for providing uranium enrichment service activities.

Subtitle G: Nuclear Regulatory Commission Annual Charges - Requires the Secretary of Energy to report to the Congress regarding a certain court decision that Federal utility services uranium enrichment contracts are null and void.

Directs the Nuclear Regulatory Commission to report to the Congress regarding the establishment of a system for the assessment of annual charges from licensees for the purpose of funding Commission activities.

Title VIII: Outer Continental Shelf and Related Programs - Subtitle A: Amendments to the Outer Continental Shelf Lands Act - Outer Continental Shelf Lands Act Amendments of 1985 - Authorizes affected coastal States and localities to use certain mineral resources leasing receipts (derived from the Outer Continental Shelf) to mitigate adverse economic and environmental effects related to the development of such resources.

Amends the Outer Continental Shelf Lands Act (OCS Lands Act) to require the Secretary of the Interior to provide specified information to the Governor of any coastal State within whose seaward three-mile boundaries lie lands for which lease nominations are being solicited by the Secretary. Requires such Secretary to deposit into a separate Treasury account all revenues (excluding Federal income and windfall profits taxes) derived from any Federal tract lease lying wholly or partially within such seaward boundary of any coastal State.

Sets guidelines for the disposition of: (1) common potentially hydrocarbon-bearing areas underlying Federal and coastal State boundaries; (2) oil and gas lease sale revenues involved in boundary disputes between the United States and a coastal State; (3) revenues from tracts leased by the Secretary lying wholly or partially within three nautical miles of the seaward boundary of two or more States; and (4) revenue distribution derived from federally-leased tracts to certain designated coastal States.

Amends the Submerged Lands Act to provide that any boundary between a State and the United States which has been fixed under a final Supreme Court decree shall remain immobilized under such decree.

Sets guidelines for State recoupment of certain revenues derived from Federal leases within three miles of the seaward boundary of any coastal State between September 18, 1978 and September 30, 1985.

Subtitle B: Coordination and Consultation with Affected States and Local Governments - Amends the OCS Lands Act to: (1) authorize the Secretary of the Interior to reject the recommendations made by the Governor of an affected State regarding a proposed lease sale if such Secretary determines that such

recommendation would significantly impair the national interest.

Subtitle C: Use of American Built Rigs for OCS Drilling - Amends the OCS Lands Act to require that any structure used for exploration or production of oil and gas on the Outer Continental Shelf (at certain geographic locations) be built in America from materials which have been at least 50 percent made or mined in the United States. Specifies exemptions. Authorizes the Secretary of the Interior to waive the materials requirement under certain circumstances.

Title IX: Medicare, Medicaid, and Maternal and Child Health Programs - Medicaid Budget Reconciliation Amendments of 1985 - **Subtitle A: Medicare - Part 1: Provisions Relating to Part A of Medicare** - Amends part A (Hospital Insurance) of title XVIII (Medicare) of the Social Security Act to provide that the increase in payments for inpatient hospital services shall be one percent for cost reporting periods beginning during FY 1986 and a percentage increase determined by the Secretary of Health and Human Services thereafter, but not exceeding the market basket percentage increase in the cost of such services.

Delays full implementation of the prospective payment system for an additional year.

Directs the Secretary to adjust payment amounts to hospitals for discharges occurring during FY 1986 to reflect changes the Secretary promulgated in final regulations relating to the hospital wage index.

Revises the formula which provides for additional payments to hospitals for indirect costs of medical education.

Provides for an additional payment to an urban hospital of 100 or more beds that serves a disproportionate share of low-income patients.

Treats as a rural referral center a rural osteopathic hospital having 3,000 or fewer discharges annually.

Phases out, over a three-year period, the inclusion of returns on equity capital within the reasonable costs of inpatient services. Permits, in other cases, payment for a return on equity capital, provided that such rate of return equals the average of the rates of interest on obligations issued for purchase by the Federal Hospital Insurance Trust Fund.

Provides for the continuation of State hospital reimbursement control demonstration systems, provided certain conditions are met. Permits States with such a system an extra year within which to fulfill certain assurances.

Provides that the basis for capital allowances to the new owner, in the case of the transfer of hospital ownership without monetary consideration from a State to a nonprofit corporation, shall be the book value of the hospital to the State at the time of transfer.

Directs the Secretary to adjust prospective payment rates to reasonably compensate sole community hospitals experiencing a significant increase in operating costs due to the addition of new inpatient facilities and services.

Directs that, where a hospital has received a waiver for direct billing of non-physician services under part B (Supplementary Medical Insurance) of title XVIII, the adjustment of indirect costs of educational activities shall be made as if the hospital did not have part A payments reduced by reason of such waiver.

Requires a report from the Secretary to the Congress with respect to the impact of policies respecting outliers and patient transfers on payments to rural hospitals.

Directs the Secretary to make available to the Prospective Payment Assessment Commission, the Congressional Budget Office, the Congressional Research Service, and the Comptroller General the most current information on payments being made under the prospective payment system.

Requires any hospital with an emergency department to provide examination and stabilizing treatment of emergency conditions (including treatment for active labor) for any individual (whether or not eligible for Medicare) coming to such department if such examination or treatment is within the capability of the hospital's emergency department.

Requires Medicare hospitals providing medical care under health plans for members or former members of the armed forces and their dependents and survivors to comply with certain practices prescribed under regulations issued by the Secretary and the Secretaries of Defense and Transportation.

Amends the Tax Equity and Fiscal Responsibility Act of 1982, with respect to payment for hospice care, to eliminate the sunset provision. Increases the payment rate for daily hospice care.

Limits the time period within which the ten percent penalty for late enrollment under part A can be assessed.

Requires the Secretary to publish notice of the projected increase in the inpatient hospital deductible by September 15th of each year.

Provides that certain skilled nursing facilities may choose to be paid a prospective payment for all routine service costs of extended care services provided in a fiscal year. Sets the time by which the Secretary must establish the prospective payment amounts, and such facilities must notify the Secretary of their choice of prospective payment for the fiscal year. Provides that the Secretary may pay for the ancillary services of such facilities on a reasonable charge basis, rather than on a cost basis, if such would ease the reporting burden of the facility. Requires the Secretary to annually publish the data and criteria to be used in adjusting payments to skilled nursing facilities for routine service costs.

Provides for the appointment of two additional members to the Prospective Payment Assessment Commission.

Expresses the sense of the Senate that the Committee on Finance should report legislation which will reform calculation of the annual increase in the inpatient hospital deductible so that it is more consistent with annual increases in Medicare payments to hospitals.

Part 2: Provisions Relating to Parts A and B of Medicare - Requires that payment for health care items or services, to the extent possible, be made by an employed individual's group health plan before any Medicare payments are made. Amends part B to define the "special enrollment period" as the period beginning with the first day of the first month in which an individual is no longer enrolled in a group health plan by reason of current employment and ending seven months later. Amends the Age Discrimination in Employment Act of 1967 to prohibit an employer from discriminating, under the employer's group health plan, against an employee over age 65.

Replaces the current reasonable cost methodology in calculating Medicare payments to hospitals for graduate medical education of full-time equivalent residents with a determination based on average direct graduate medical education costs and the number of hospital interns and residents. Provides restrictions as to who will

be counted as a full-time equivalent resident.

Alters the amount of, and method of applying limitations on, payments for services furnished by home health agencies.

Prohibits the Secretary from conducting any demonstration projects relating to competitive bidding as a method of purchasing laboratory services under Medicare. Directs the Secretary and Comptroller General to cooperate with clinical laboratories in conducting a study to determine whether there are better methods than competitive bidding in setting payment levels for laboratory services.

Requires the Secretary, in determining whether payments to a home health agency should be denied, to apply a presumption of compliance until 12 months after certain regional intermediaries have begun to service such agencies. Prohibits the implementation of certain regulations regarding payments for home health services.

Requires that in the case of an individual who is receiving inpatient hospital services as of the effective date of the individual's enrollment under Medicare with a health maintenance organization (HMO) or competitive medical plan (CMP): (1) payment for such services until the date of the individual's discharge shall be made under Medicare as if the individual were not enrolled with the HMO or CMP; (2) the HMO or CMP shall not be financially responsible for payment of such services until the date after the date of an individual's discharge; and (3) the HMO or CMP shall nonetheless be paid the full amount otherwise payable to the HMO or CMP. Requires that in the case of an individual who is receiving inpatient hospital services as of the effective date of the individual's termination of enrollment with an HMO or CMP: (1) the HMO or CMP shall be financially responsible for payment of such services after such date and until the date of the individual's discharge; (2) payment for such services shall not be made under the prospective payment system; and (3) the HMO or CMP shall not receive any payment with respect to the individual during the period the individual is not enrolled. Requires all marketing material of an HMO or CMP to be reviewed by the Secretary prior to its distribution.

Permits an individual to be represented by a provider during a Medicare related hearing or appeal.

Permits, under part B, an administrative hearing if the amount in controversy is more than \$500 and judicial review if the amount in controversy is more than \$1,000.

Removes the prohibition on comments by Medicare and Old-Age, Survivors and Disability Insurance (title II of the Act) actuaries relating to economic assumptions underlying the annual reports of the Trustees of the Social Security Trust Funds on the status of such funds.

Prohibits the Secretary from merging renal disease network organizations into other organizations or entities, but permits some consolidation of network organizations.

Requires the Secretary to extend, for three additional years, approval of four specified municipal health services demonstration projects.

Amends the Tax Equity and Fiscal Responsibility Act of 1982 to earmark a specified sum for FY 1986 through 1988 for provider cost audits, medical necessity reviews, and third-party liability payment recoveries.

Expresses the sense of the Senate that the Secretary should consider implementing a policy under which a liver transplant is no longer excluded from Medicare coverage as an experimental procedure for individuals over age 18.

Directs the Secretary to conduct studies and report to the Congress on the advisability of: (1) allowing home health services to be provided under the supervision of a physical therapist or other health care professional (currently, the supervision of a physician or nurse is required); and (2) deleting the requirement that a physical therapist have an office equipped with specified equipment even if all services are provided in patients' homes.

Directs the Secretary to provide for the extension of the waiver of certain Medicare and Medicaid (title XIX of the Act) requirements with respect to the On Lok Senior Health Services program.

Provides for the continuation of a specified demonstration project through FY 1986.

Part 3: Provisions Relating to Part B of Medicare - Extends, for one year, the current freeze on physician charge levels for non-participating physicians under part B while providing incentives for participating physicians.

Freezes the customary and prevailing charges for nonphysician and nonlaboratory supplies and services through January 31, 1986, and until the end of 1986 for rented durable medical equipment and consumable oxygen. Provides that, beginning in 1987, the prevailing charge level for durable medical equipment and consumable oxygen may not exceed the increase in the Consumer Price Index. Requires payment on an assignment basis for durable medical equipment furnished on a rental basis and for oxygen therapy services.

Revises provisions relating to the dates for revising payments for clinical laboratory services. Sets limits on payment rates. Requires a report from the Secretary to the Congress concerning standards for clinical laboratories.

Directs the Secretary by regulation to: (1) describe the factors to be used in determining if a reasonable charge is inherently reasonable; and (2) provide, in those cases where the reasonable charge is not inherently reasonable, for factors that will be considered in establishing a reasonable charge that is realistic and equitable. Revises the computation of customary charges with respect to certain former hospital-compensated physicians.

Directs the Director of the Congressional Office of Technology Assessment to provide for the appointment of a Physician Payment Review Commission which shall include physicians, other health professionals, health researchers, and consumer representatives. Requires the Commission to annually make recommendations to the Congress regarding adjustments to the reasonable charge levels for physicians' services and changes in the methodology for determining the rates of payment, and for making payment, for physicians' services under Medicare and other items and services under part B. Requires the Commission to also advise and make recommendations to the Secretary concerning the development of the relative value scale. Authorizes appropriations. Directs the Secretary to develop a relative value scale that establishes a numerical relationship among the various physicians' services for which payment may be made under part B or State plans approved under title XIX (Medicaid) of the Act. Requires a report from the Secretary to the Congress concerning the relative value scale.

Requires the Secretary to provide for separate payment amount determinations for prosthetic lenses and related professional services, using inherent reasonableness guidelines.

Prohibits coverage for an assistant in a cataract operation unless, before surgery, the appropriate utilization and quality control peer review organization has approved the use of an assistant because of a complicating medical condition. Directs the Secretary: (1) after consultation with the Prospective Payment Assessment

Commission, to develop recommendations and guidelines respecting other surgical procedures for which an assistant at surgery is generally not medically necessary and the circumstances under which an assistant is appropriate; and (2) to report to the Congress with recommendations and guidelines.

Provides coverage for outpatient occupational therapy services.

Provides coverage for all services provided by a doctor of optometry.

Extends, for an additional year, provisions under which part B premiums shall equal 25 percent of program costs. Provides that any cost-of-living increase in the part B premium in December of 1985, 1986, or 1987 shall be reduced for recipients of Old-Age or Disability Insurance benefits under title II of the Act to the extent necessary to maintain that individual's net check amount for succeeding months at its December level.

Directs the Secretary to establish a demonstration program designed to reduce disability and dependency through the provision of preventive health services to Medicare beneficiaries. Sets forth provisions relating to: (1) preventive health services to be made available under the demonstration program; (2) the conduct of the program; (3) evaluation of the program; (4) reports to the Congress; (5) funding; and (6) waiver of Medicare requirements.

Amends the Deficit Reduction Act of 1984 to extend, to May 1, 1986, the date by which the General Accounting Office must submit its study concerning the cost and performance of Medicare fiscal intermediaries and benefit carriers.

Part 4: Peer Review Organizations - Amends part B (Peer Review) of title XI (General Provisions) of the Act to require peer review organizations to conduct pre-procedure review, in accordance with guidelines to be developed by the Secretary, on at least ten elective surgical procedures. Authorizes such organizations to require a second opinion as part of such review where it may assist the beneficiary regarding the need for the procedure.

Requires the reimbursement of peer review organizations on a monthly basis.

Requires a peer review organization's denial of payment to a health care provider by reason of its failure to meet professionally recognized standards of care to be based on criteria developed by the organization pursuant to a plan approved by the Secretary. Protects beneficiaries against being charged for services for which Medicare payment is denied.

Removes the limitation on HMO membership on peer review organization boards.

Requires peer review organization reviews to include the review of items and services provided under Medicare by HMOs and CMPs.

Authorizes the Secretary, after giving notice of intent to terminate a peer review organization contract and prior to contracting with another organization, to transfer review responsibilities to another peer review organization or to a Medicare fiscal intermediary or benefit carrier.

Subtitle B: Medicaid and Maternal and Child Health -

Amends title XIX (Medicaid) of the Act to: (1) include within the definition of "qualified pregnant woman" any woman who meets the income and resources requirements under part A (Aid to Families with Dependent Children) of title IV of the Act; (2) provide that the making available to covered pregnant women of

pregnancy-related services shall not require the making available of such services to other individuals; and (3) provide that a woman who, while pregnant, is eligible for, has applied for, and has received Medicaid, shall be deemed, for purposes of the provision of all pregnancy-related and post-partum medical assistance under Medicaid, to remain pregnant until the end of the 60-day period beginning on the last day of her pregnancy.

Defines the term "habilitation services" as used in title XIX. Provides for the coverage as home or community-based services of services provided to individuals who would otherwise continue to receive inpatient hospital services, skilled nursing facility services, or intermediate care facility services because they are dependent on ventilator support, the cost of which is reimbursed under Medicaid. Makes other revisions concerning home and community-based services with respect to: (1) total expenditures for such services; (2) expenditures for certain disabled patients; and (3) maintenance income standards.

Provides for five year (currently, three year) renewals of waivers for home and community-based services.

Requires the State agency administering home and community-based service programs to enter into cooperative arrangements with the State agency administering the program for children with special health care needs under title V (Maternal and Child Health Block Grant) of the Act so as to assure such children's improved access to coordinated services.

Requires State or local agencies administering a State plan to collect data on, and submit a plan to the Secretary facilitating the pursuit of claims against, third parties liable for care and services provided under the plan. Protects individuals entitled to medical assistance from: (1) collection efforts of service providers in certain cases where there is sufficient third party liability for payment; and (2) service refusal because of potential third party liability for payments. Provides that third party liability for preventive pediatric and prenatal services shall be pursued by the State, not by the provider.

Requires the review of a State's mechanized claims processing and information retrieval system once every three years (currently, each fiscal year). Includes, as part of such review, the State's compliance with performance standards the Secretary develops to assess the State's third party collection efforts.

Amends the Employee Retirement Income Security Act of 1974 to preserve State laws prohibiting the reduction of benefits under an employee benefit plan by reason of a participant's eligibility for Medicaid.

Authorizes States to condition the individual's eligibility under a State plan on their cooperation in the pursuit of liable third parties.

Provides that State plans may include home respiratory care services for an individual who is medically dependent on a ventilator for life support services for at least six hours a day and who meets certain other requirements.

Provides for the coverage of hospice care under Medicaid.

Sets forth provisions relating to the eligibility of an individual with a trust.

Prohibits payment for organ transplant procedures unless the State plan provides for written standards respecting the coverage of such procedures and unless such standards contain specified provisions.

Authorizes States to provide targeted case management services to assist eligible individuals in receiving needed Medicaid services.

Requires States to assure the Secretary that the valuation of the capital assets of skilled nursing facilities and intermediate care facilities, for the purpose of determining payment rates, will not be increased solely as a result of a change of ownership, beyond the increase in either of two specified cost indicators. Requires the Comptroller General to report to the Congress in two years on the effects of this requirement.

Authorizes State plans to make medical assistance available to individuals who are in a medical institution for no less than 30 consecutive days. Provides that State plans may make such assistance available to children under five years of age even if they were born before September 30, 1983 (currently, the cut-off date).

Provides that States have 60 days to recover an overpayment to a person or other entity before an adjustment is made in the Federal payment to the State, unless the debt to the State is uncollectable.

Directs the Secretary to select four programmatically and demographically disparate States to conduct three-year demonstration projects to determine whether and to what extent community-based service programs can reduce government and social expenditures. Requires at least one of the projects to provide such services to a significant number of individuals with Alzheimer's disease or related disorders and another project to provide such services to a significant number of the mentally retarded or developmentally disabled.

Requires the Secretary, within 60 days of enactment of this Act, to promulgate proposed regulations revising standards for intermediate care facilities for the mentally retarded under Medicaid.

Provides that, until the Secretary specifies otherwise, the 1985 edition of the Life Safety Code of the National Fire Protection Association constitutes the fire safety requirements for intermediate care facilities for the mentally retarded.

Provides that, when an intermediate care facility for the mentally retarded has substantial deficiencies which do not pose an immediate threat to the resident's health and safety, the State may either: (1) implement an approved plan of correction to remedy any staffing or physical plant deficiencies within six months, or (2) implement an approved plan to permanently reduce, within 36 months, the number of certified beds in the noncomplying facility. Imposes penalties on States which fail to make such corrections or reductions within the prescribed time periods.

Authorizes entities which received certain grants under the Public Health Service Act or the Appalachian Regional Development Act of 1965 to participate in Medicaid even though they do not qualify as HMOs with a specified percentage of members non-eligible for Medicare or Medicaid. Authorizes the State plan to continue the eligibility of individuals enrolled with such entities to the end of the minimum eligibility period, even if such individuals otherwise become ineligible for Medicaid, and to restrict the period during which enrollees may terminate their enrollment.

Provides that where a Health Insuring Organization arranges with other providers for the delivery of services to Medicaid eligibles it is subject to all the regulatory requirements to which HMOs are subject.

Extends the deadline for States to make mechanized claims processing and information retrieval systems operational.

Extends a specified long-term care demonstration project.

Requires a report from the Secretary to the Congress concerning Medicaid payments for hospitals serving disproportionate numbers of low-income patients.

Directs the Secretary to establish a Task Force on Alternative Care for Technology-Dependent, Chronically Ill Children. Requires the task force to: (1) identify barriers to, and recommend changes in, the provision of private and public health care so as to provide home and community-based alternatives to the institutionalization of such children; and (2) report to the Secretary and the Congress on its activities.

Amends the Deficit Reduction Act of 1984 to make it clear that unapproved State plans and amendments to those plans are also protected by the moratorium against regulatory actions imposed by that Act. Requires the Secretary to implement the policy in effect at the beginning of the moratorium regarding the sale of institutionalized individuals' homes so that they may maintain Medicaid eligibility.

Authorizes the Secretary to waive the requirement that certain entities meet specified qualifications as HMOs in the case of entities in Oregon which provide a limited number of services and no inpatient hospital services in connection with home and community-based care.

Extends a specified long-term care demonstration project.

Provides for the reinstatement and biennial renewal of a specified HMO waiver.

Continues, for one year, a specified demonstration project involving the training of title IV (Aid to Families with Dependent Children) beneficiaries as home health aides. Sets Federal matching for the project at 50 percent.

Lists provisions of laws directly affecting Medicaid.

Replaces references to crippled children with references to children with special health care needs.

Amends part A of title XI (General Provisions) of the Act to require the annual (currently, biennial) calculation of the Federal medical assistance percentage for each State beginning in FY 1987.

Provides that, for Medicaid purposes, any individual receiving aid or assistance under part E (Foster Care and Adoption Assistance) of title IV of the Act shall be deemed to be receiving such aid or assistance from the State in which the individual actually resides. Provides that children with special medical rehabilitative needs who are receiving Medicaid and who are adopted by parents under a publicly-funded adoption program (other than a title IV-E program) are eligible for Medicaid regardless of the income and resource levels of the adoptive parents.

Subtitle C: Task Force on Long-Term Health Care Policies - Directs the Secretary to establish a Task Force on Long-Term Health Care Policies. Requires the Task Force to develop recommendations for long-term health care policies and report to the Secretary and the Congress. Requires the Secretary: (1) to provide for the dissemination of the report to each of the States; and (2) to report to the Congress annually concerning such recommendations.

Title X: Private Health Insurance Coverage - Amends the Internal Revenue Code to deny income tax deductions to employees for contributions to a group health plan unless such plan meets specified continuing coverage requirements.

Amends the Employee Retirement Income Security Act of 1974 (ERISA) to require the plan sponsor of each group health plan to provide that each qualified beneficiary who would lose coverage because of a qualifying event is entitled to elect continuation coverage. Defines a qualifying event as: (1) the death of the covered employee; (2) the termination or reduction of hours of such employee's employment; (3) the divorce of the

employee; (4) the covered employee becoming entitled to Medicare benefits; or (5) a dependent child ceasing to be a dependent child under the generally applicable requirements of the plan. Sets forth the requirements that continuation coverage must meet and the limits on the applicable premium for such coverage.

Amends the Public Health Service Act (PHSA) to add a new title requiring certain State and local governmental group health plans to provide continuation coverage for certain State and local government employees who would lose coverage because of a qualifying event. Provides that the definition for such qualifying event is the same as the definition of a qualifying event under ERISA. Sets forth the requirements that continuation coverage must meet, the limits on the applicable premium for such coverage, and notice requirements.

Title XI: Single-Employer Plan Termination Insurance System Amendments - Single-Employer Pension Plan Amendments Act of 1985 - Amends title IV (Plan Termination Insurance) of ERISA to revise provisions relating to the single-employer pension plan termination insurance program.

Sets forth new definitions relating to such program for several terms, including: (1) contributing sponsor; (2) controlled group; (3) single-employer plan; (4) composite single-employer plan; (5) amount of unfunded guaranteed benefits; (6) final benefit obligation; and (7) person.

Sets forth a technical correction to the Multiemployer Pension Plan Amendments of 1980.

Amends ERISA to increase from \$2.60 to \$8.50 per capita the annual premium rate payable to the Pension Benefit Guaranty Corporation (the Corporation) by single-employer plans for plan years beginning after December 31, 1985.

Requires that congressional approval of the Corporation's recommended revised premium schedules be by the enactment of a joint resolution (currently a concurrent resolution is required).

Sets forth general requirements relating to the termination of single-employer plans by plan administrators.

Provides that, except for terminations instituted by the Corporation, a single-employer plan may be terminated only in a standard termination or a distress termination, as provided under this Act.

Requires the plan administrator to give at least 60 days notice of intent to terminate to each affected party. Prohibits the Corporation from proceeding with the termination if it would violate an existing collective bargaining agreement.

Sets forth general requirements and procedures for standard termination of single-employer plans.

Allows standard terminations of single-employer plans only if: (1) the plan administrator provides 60 days notice to affected parties; (2) the plan administrator provides notice to the corporation and to participants and beneficiaries of benefit commitments; (3) the corporation does not issue a notice of noncompliance; and (4) when the final distribution of assets occurs, the plan is sufficient for benefit commitments.

Sets forth the reasons that would cause the Corporation to issue a notice of noncompliance.

Requires the plan administrator to use a specified method in distributing the assets of the plan and to: (1) purchase insurance to provide the benefit commitments of the plan; or (2) provide the benefit commitments in another manner. Requires the plan administrator to certify to the Corporation, within 30 days of the final distribution of assets, that the assets of the plan have been distributed.

Sets forth requirements for the final distribution of assets of certain plans where a specified number of participants have complained to the Corporation.

Sets forth general requirements and procedures for distress termination of single-employer plans. Allows such plan to terminate under a distress termination only if: (1) the plan administrator provides 60 days notice of intent to terminate to affected parties; (2) the plan administrator provides the Corporation with specified information on the plan's assets and benefit commitments; and (3) the Corporation determines that each contributing sponsor of a plan or substantial member of such sponsor's controlled group meets one of the following conditions. Provides relief if such sponsor or member: (1) has filed or has had filed against it a liquidation petition under the bankruptcy provision; (2) has filed or has had filed against it a reorganization in bankruptcy or insolvency petition; or (3) unless a distress termination occurs such sponsor or member will be unable to pay its debts and continue in business or the cost of coverage has become unreasonably burdensome because of a decline in the workforce.

Requires the Corporation to determine whether the plan is sufficient for guaranteed benefits or for benefit commitments and to notify the plan administrator of its findings. Sets forth the procedure for plan termination. Requires the Corporation to institute proceedings as soon as practicable to terminate a single-employer plan whenever it determines that the plan does not have the assets to pay benefits that are currently due.

Sets forth the formulas for determining the liability of a contributing sponsor or a member of such sponsor's controlled group if a single-employer plan is terminated under a distress termination or a termination otherwise instituted by the Corporation. Sets forth formulas covering liability to the Corporation, to the section 4049 trust (established by this Act), and to the section 4049 trustee.

Amends the Internal Revenue Code to require the tax deduction for employer liability payments to be taken when prescribed by specified regulations.

Amends ERISA to require the Corporation to establish a trust fund if the Corporation, during the distress termination of a single-employer plan, finds that: (1) the plan is sufficient for guaranteed benefits but not sufficient for benefit commitments; or (2) the plan is not sufficient for guaranteed benefits. Requires the trust to be used exclusively for: (1) receiving liability payments from contributing sponsors and members of controlled groups; (2) making distributions to participants and beneficiaries of the terminated plan; and (3) defraying reasonable administrative expenses. Requires the Corporation to designate a fiduciary. Provides for distributions from the trust.

Amends the Internal Revenue Code to make such trusts tax-exempt. Permits rollovers of payments from the trust funds to eligible retirement plans.

Amends ERISA to impose liability under a single-employer plan if a person enters into a transaction principally to evade liability under the plan and the transaction becomes effective within five years before the termination date of the plan. Sets forth the liability of legal persons whose transactions consist of corporate reorganizations.

Sets forth procedures for enforcing rights under terminations of single-employer plans.

Amends the Internal Revenue Code and ERISA to authorize the Secretary of the Treasury to require an employer maintaining a single-employer plan to provide security to such plan as a condition for waiving the minimum funding standard or extending the amortization period. Requires the Secretary to notify and consult

with the Corporation before granting any such waiver or extension.

Amends ERISA and the Internal Revenue Code to set the interest rate under arrangements providing for such waivers and extensions.

Requires the Corporation to conduct a study of the premiums established under the single-employer pension plan termination insurance program. Sets forth issues to be studied. Requires the Corporation to report the results of its study and its recommendations to an advisory council. Requires the council to submit the report and recommendations with additional recommendations to the Congress within 180 days of receiving it.

Requires the Secretary of Labor to conduct a study of terminations resulting in residual assets and to report to the Congress by February 1, 1986, on the results of such study.

Sets forth the regulatory treatment under ERISA of any asset of real estate entities in which a plan, account, or arrangement subject to ERISA invests.

Title XII: Income Security and Related Programs - Subtitle A: Old-Age, Survivors, and Disability Insurance Program - Amends the Social Security Disability Amendments of 1980 to: (1) extend the Secretary of Health and Human Service's authority to waive compliance with the benefit requirements under titles II (Old Age, Survivors and Disability Insurance) and XVIII (Medicare) of the Social Security Act in connection with certain demonstration projects; and (2) require that the Secretary's final report shall not be due until June 9, 1990, with respect to such projects.

Directs the Secretary to appoint a special Disability Advisory Council to conduct studies and make recommendations with respect to the medical and vocational aspects of disability under both titles II and XVI (Supplemental Security Income) of such Act.

Exempts from taxation the social security benefits of certain citizens of U.S. possessions.

Treats an adopted great grandchild the same as an adopted grandchild for purposes of title II.

Revises the definition of "balance ratio" under title VII (Administration) of such Act.

Extends the reentitlement period for a disabled child.

Revises provisions relating to: (1) work deductions affecting auxiliary benefits in disability cases; and (2) the disability offset.

Provides, with respect to voluntary agreements for OASDI coverage of State and local employees, that in certain cases agreements or modifications of an agreement with the Secretary can be mailed to the Secretary.

Amends the Internal Revenue Code to provide that social security benefit checks delivered before the end of the calendar month for which they are issued shall be deemed to have been received in the succeeding calendar month.

Amends title II of the Act and the Internal Revenue Code to provide that the pensions received by retired judges who are assigned to active duty shall not be treated as wages for purposes of title II.

Provides for the recovery of the overpayment of benefits made under titles II or XVI to a deceased individual, and credited to an account held jointly with the deceased by an entitled surviving beneficiary.

Provides for title II coverage of certain Connecticut State Police.

Subtitle B: Supplemental Security Income Program - Amends title XVI (Supplemental Security Income) of the Social Security Act to provide for a passthrough relating to optional State supplementation.

Provides for the eligibility of certain disabled widows and widowers who became ineligible for SSI benefits following the enactment of the Social Security Amendments of 1983 which resulted in the exclusion of certain individuals from SSI eligibility because of OASDI increases to widow's and widower's insurance benefits.

Subtitle C: AFDC, Adoption Assistance, and Foster Care Programs - Directs the Secretary and the National Academy of Sciences to conduct concurrent independent studies of quality control systems for the Aid to Families with Dependent Children (AFDC) Program (part A of title IV of the Act) and the Medicaid Program. Sets forth reporting requirements. Places a two-year moratorium on the reduction of payments to States for high erroneous payment rates under the programs. Requires the Secretary to publish regulations, to be implemented after the moratorium, which restructure the quality control systems and adjust the reduction of payments to States for quarters before, during, and after the moratorium.

Requires aid to be provided with respect to dependent children in two-parent families.

Provides that certain education or training programs may qualify as quarters of work for purposes for eligibility for AFDC aid.

Authorizes the Secretary to cut Federal funding for a statewide mechanized claims processing and information retrieval system under the AFDC Program by 40 percent if such a system is not implemented by the date specified in the State's automatic data processing planning document.

Requires the Secretary to cooperate with the State in identifying and pursuing any third party who may be liable to pay for care and services available under title XIX.

Amends part E (Foster Care and Adoption Assistance) of title IV to provide Medicaid eligibility for children with respect to whom an adoption assistance agreement is in effect, even if payments are not made under the agreement. Extends, for two years, provisions which permit States to transfer certain part E funds to part B (Child Welfare) of title IV.

Requires payments to be made under part E of title IV, in FY 1986 and 1987, to assist States in establishing independent living initiatives for children with respect to whom foster care maintenance payments are being made and who have attained age 16. Directs that the programs be designed to prepare participants to live independently upon leaving foster care. Sets forth reporting requirements designed to provide the data needed for decision-makers considering the feasibility of improvements to, and additional funding for, such programs.

Subtitle D: Provisions Relating to Unemployment Compensation - Amends title III (Unemployment Compensation) of the Act to allow any State to enter into an agreement with the Secretary of Labor authorizing the State to recover overpayments made to individuals by deducting the overpayment from amounts otherwise payable to such individuals and paying the deducted amount to the jurisdiction under whose program the overpayment was made.

Provides a special rule for determining the consecutive weeks requirement for individuals who were called up in the National Guard to perform temporary disaster services.

Subtitle E: Restoration of Civil Service Retirement and Disability Fund - Directs the Secretary of the Treasury to pay a specified amount to the Civil Service Retirement and Disability Fund to cover interest that was lost from noninvestment in September 1984.

Title XIII: Revenues, Trade, and Related Programs - Subtitle A: Trade and Customs Provisions - Part 1: Trade Adjustment Assistance - Trade Adjustment Assistance Reform and Extension Act of 1985 - Amends the Trade Act of 1974 to include agricultural workers and firms within the groups of workers and firms that can petition for trade adjustment assistance. Provides adjustment assistance for workers whose firms provide essential parts or services for articles that have been adversely affected by increased imports of like or directly competitive articles. Requires the Secretary of Commerce to certify a firm as eligible for adjustment assistance if sales or production or both of an article that accounted for not less than 25 percent of the total production or sales of the firm during the year preceding the most recent year for which data are available have decreased absolutely. Provides for adjustment assistance for firms that provide essential parts or services for articles that have been adversely affected by increased imports of like or directly competitive articles.

Requires a worker who is otherwise eligible for adjustment assistance, in order to qualify for such assistance to: (1) be enrolled in an approved training program; (2) have completed such a training program; or (3) have received a certification from the Secretary of Labor or from the appropriate State agency that it is not appropriate or feasible to approve a training program for such worker. Prohibits paying adjustment allowances to workers who fail to enroll in or stop participating in a training program and there is no justification for such failure or cessation. Requires the Secretary of Labor to report annually to the Congress on the number of workers who receive certifications that training is not appropriate or feasible for them.

Limits the number of weeks of employer-authorized leave or weeks of work spent as a union representative that may be treated as weeks of employment qualifying an employee for trade adjustment assistance. Exempts weeks for which a worker receives a training allowance under the Trade Act of 1974 from causing a reduction in the number of weeks for which such a worker is eligible for a trade adjustment allowance.

Increases the trade readjustment allowance to an amount equal to 78 (currently 52) times the amount of one week's trade readjustment allowance. Extends the coverage for trade readjustment allowances to 104 weeks.

Prohibits paying a trade adjustment allowance for any week during which the worker is receiving on-the-job training.

Requires that training for an adversely affected worker, in order to be approved by the Secretary of Labor, must be reasonably available.

Authorizes the Secretary of Labor to approve certain training programs, including: (1) on-the-job training; (2) any training program provided by a State pursuant to the Job Training Partnership Act; and (3) any training program approved by specified private industry councils.

Authorizes the Secretary of Labor to pay the costs of on-the-job training of an adversely affected worker only if ten specified conditions are met.

Requires (currently authorizes) the Secretary of Labor to approve job training for adversely affected workers who meet specified conditions. Permits such training to be provided through a voucher system. Limits the amount of training payments that may be made to \$4,000. Prohibits any other Federal payment for such training if the costs of such training are provided under the Trade Act of 1974.

Defines on-the-job training to mean training provided by an employer to an individual who is employed by the employer.

Requires States with which the Secretary of Labor has made agreements related to training for adversely affected workers to provide such workers with specified information.

Requires the Secretary of Labor to reimburse any adversely affected worker for necessary expenses incurred in participating in an approved job search program.

Provides that adjustment assistance for firms shall be in the form of technical assistance only. (Current law provides for technical and financial aid.)

Permits the Secretary to help pay for assistance to a firm in developing a proposal for its economic adjustment or in the implementation of such proposal. (Current law authorizes the Secretary to share the cost also of assistance to a firm in preparing its petition for eligibility for adjustment assistance.)

Prohibits making any direct loans or loan guarantees for adjustment assistance for firms after enactment of this Act.

Extends trade adjustment assistance programs for workers and firms for six years after enactment of this Act.

Extends funding for adjustment assistance for workers and firms through FY 1989.

Establishes within the Treasury a Trade Adjustment Assistance Trust Fund to carry out trade adjustment assistance for workers and firms. Provides for funding the Trust Fund.

Directs the President to undertake negotiations to change the General Agreement on Tariffs and Trade to allow countries to impose a small uniform duty on all imports in order to use the revenue from such duty to fund trade adjustment assistance programs. Directs the President to report to the Congress six months after enactment of this Act on the progress of such negotiations. Directs the President to report to the Congress as soon as the GATT allows the imposition of such a duty.

Imposes an additional duty on all imports into the United States, including with specified exceptions those imports granted duty-free treatment.

Amends the Internal Revenue Code to exempt from tax a job training voucher received under a trade adjustment assistance program.

Sets forth the effective dates for the provisions of this part.

Part 2: Authorization of Appropriations for Trade and Customs Agencies - Amends the Tariff Act of 1930 to authorize appropriations for FY 1986 for the International Trade Commission.

Amends the Customs Procedural Reform and Simplification Act of 1978 to authorize appropriations for FY 1986 for the U.S. Customs Service. Earmarks specified amounts for: (1) additional inspectors, import specialists, customs patrol officers, and special agents; (2) the operation and maintenance of the air interdiction program of the Service; and (3) programs to enforce or monitor export controls under the Export Administration Act of 1979. Prohibits using any Customs Service funds to close any port of entry at which, during FY 1985: (1) not less than 2,500 merchandise entries were made; and (2) not less than \$1,500,000 in customs revenues were assessed.

Prohibits using any funds authorized for FY 1985 for the Customs Service for further research and development or acquisition of F-15 avionics for the P-3 aircraft and related equipment until 60 days after specified congressional committees have received a comparative assessment of the suitability of certain aircraft for use by the Customs Service in its air drug interdiction program. Prohibits using any such funds to consolidate the drawback liquidation centers within the Customs Service to less than four centers.

Authorizes appropriations to the Department of the Treasury for making payments out of the Customs Forfeiture Fund, including an amount for modifying aircraft for drug interdiction.

Authorizes appropriations to the Customs Service for FY 1987 and 1988 for the additional inspectors, import specialists, customs patrol officers, and special agents.

Requires the General Accounting Office to report to specified congressional committees within 12 months of enactment of this Act on a study that evaluates the air detection and interdiction capability of the Customs Service.

Directs the Commissioner of Customs to use any savings resulting from administrative consolidations to strengthen the commercial operations of the Customs Service by increasing the number of inspector, import specialist, patrol officer, and other line operational positions.

Directs the Commissioner of Customs to ensure that existing levels of commercial services shall continue to be provided by customs personnel assigned to the headquarters office of any customs district designated before enactment of this Act.

Prohibits the Commissioner from publishing or taking any other action to give force and effect to a final rule that would revise the current rule relating to the requirement for sureties on customs bonds: (1) unless the Commissioner submits a report to the Congress containing specified information; and (2) until 90 days of continuous session of the Congress after such report is submitted.

Amends the Trade Act of 1974 to limit the number of officers and employees that the U.S. Trade Representative may appoint without regard to civil service regulations.

Authorizes appropriations for the Office of the United States Trade Representative for FY 1986.

Amends the Trade and Tariff Act of 1984 to extend for one year the requirement that the Commissioner shall notify the Congress 90 days before beginning any major field reorganization. Adds information that must be included in such notification.

Part 3: Customs Fees - Directs the Secretary of the Treasury to charge and collect specified fees for the provision of customs service in connection with: (1) the arrival of a commercial vessel of 100 net tons or more; (2) the arrival of certain commercial trucks; (3) the arrival of certain railroad cars; (4) all arrivals made during a calendar year by a private vessel or private aircraft; (5) the arrival of each passenger aboard a commercial vessel or aircraft from a place outside the United States other than Canada, Mexico, a U.S. territory or possession, or certain islands; (6) each item of dutiable mail for which a document is prepared by a customs officer; and (7) each customs broker permit. Sets forth items for which no fee shall be charged. Provides for collection of such fees by persons who issue documents or tickets to an individual for transportation by a commercial vessel or aircraft. Requires the customs services required for passengers upon arrival in the United States on scheduled airline flights to be provided when needed at no cost to airlines and their passengers. Requires all such fees to be deposited in the Customs User Fee Account in the Treasury. Sets forth the uses of such Fund.

Authorizes the Secretary of the Treasury to increase from four to 20 the number of small airports at which customs services shall be provided for a fee. Earmarks the fees collected at each such airport to be used only to pay for the customs services at such airport.

Directs the Secretary of the Treasury to establish an advisory committee to advise the Secretary on issues related to the performance of the customs services.

Subtitle B: General Revenue Provisions - Amends the Tax Equity and Fiscal Responsibility Act of 1982 to make permanent the increase in the excise tax on cigarettes.

Amends the Internal Revenue Code to impose an excise tax on smokeless tobacco. Sets the rate of such tax at 25 cents per pound on snuff and eight cents per pound on chewing tobacco.

Increases the excise tax on coal from: (1) \$1.00 to \$1.10 for coal from underground mines; and (2) 50 cents to 55 cents for coal from surface mines. Imposes a five year moratorium from 1985 to 1990 on interest accruals with respect to indebtedness of the Black Lung Disability Trust Fund.

Specifies that only those railroad retirement benefits equivalent to social security benefits shall be treated as tier 1 benefits.

Applies the hospital insurance tax (Medicare) to newly hired State and local government employees. Sets forth definitions and special rules relating to the application of such tax.

Provides that full-time students shall not be eligible for income averaging. Exempts from such requirement married students providing 25 percent or less of joint income.

Treats parents of airline employees as employees for purposes of special rules relating to fringe benefits.

Sets forth a line of business test for affiliates providing airline-related services.

Allows certain insolvent taxpayers to reduce the capital gains preference item for purposes of the individual minimum tax.

Treats as tax-exempt governmental obligations certain industrial development bonds used to acquire existing air or water pollution control provided the aggregate amount of such obligations does not exceed \$200,000,000 and no more than \$100,000,000 of such bonds are issued during calendar year 1986.

Sets forth special rules for the netting of gains and losses by cooperatives.

Extends from 1985 to 1986 the requirement that research and experimental expenditures must be allocated to income from sources within the United States.

Increases from \$200,000,000 to \$250,000,000,000 the limitation on the issuance of United States bonds.

Authorizes additional funds for FY 1986, 1987, and 1988 for the use of the Internal Revenue Service to employ additional agents and examination employees. Expresses the sense of the Congress with respect to cuts in the budget for the Internal Revenue Service for FY 1986.

Subtitle C: Provisions Relating to Unemployment Taxes - Increases the rate of the railroad unemployment repayment tax. Imposes a surtax in addition to such tax. Specifies that the revenues attributable to the basic tax shall be used to reduce railroad unemployment loans made before October 1, 1985. Specifies that

revenues attributable to such surtax shall be used to reduce railroad unemployment loans made after September 30, 1985.

Extends borrowing authority under the Railroad Unemployment Insurance Act.

Extends the exemption from the Federal unemployment tax for alien agricultural labor from 1986 to 1988. Extends the exemption from such tax for full-time students employed by summer camps and for services performed on certain fishing boats.

Title XIV: Revenue Sharing - Terminates the general revenue sharing program. Requires the Secretary of the Treasury to continue to be the trustee of the State and Local Fiscal Assistance Trust Fund which shall remain in existence until all entitlement payments required under the Revenue Sharing Act are made in accordance with such Act. Requires local governments to use, obligate, or appropriate such payments by October 1, 1987. Directs the Secretary to report to the Congress annually on the operation and status of the Fund as long as it remains on the books of the Treasury. Authorizes appropriations for FY 1987 to administer this title.

Title XV: Civil Service, Postal Service, and Government Affairs Generally - Subtitle A: Postal Service Programs - Establishes the ceiling for FY 1986 appropriations for revenue foregone for free and reduced mail.

Declares that an increase in postage rates for nonprofit and certain other mailers shall not take effect until January 1, 1986. Terminates the rate phasing schedule for such increases.

Requires the Postal Rate Commission to report to the Senate Committee on Governmental Affairs and the House Committee on Post Office and Civil Service with legislative recommendations for reducing the revenue foregone for such mailings for such fiscal years.

Restricts the use of funds to support in-county and second-class rates of postage for certain publications.

Subtitle B: Civil Service Programs - Prohibits a pay adjustment for Federal employees for FY 1986. Limits the amount that may be paid to prevailing rate employees and for officers and members of crews of vessels for FY 1986.

Requires the President to reduce outlays relating to the pay of Federal employees by specified amounts in FY 1987 and 1988, without regard to reductions resulting from other provisions of this title.

Delays any pay adjustment that takes effect on or after October 1, 1986, to the first applicable pay period beginning not less than 90 days after such adjustment would have taken place. Delays the President's pay recommendation from October 1 of each year to January 1 of the next year after the recommendation.

Freezes civilian pay increases for FY 1986. Requires the President to limit pay adjustments in FY 1987 and 1988 to achieve specified savings. Specifies limitations for pay adjustments for prevailing rate employees.

Revises the method of computing hourly rates of pay for Federal employees.

Reinstates contracting authority under the Federal Employee Health Benefit Plan for health services for medically underserved populations.

Requires carriers of the health benefit plan to refund to the Employees Health Benefits Fund specified

amounts in FY 1986 and 1987. Repeals the 75 percent limitation on the Government contribution to health premiums.

Sets forth the method of computing the retirement annuity for part-time employees.

Prohibits the reduction of wage schedules or rates for Federal employees in Tucson, Arizona.

Subtitle C: Federal Motor Vehicle Expenditures Control - Directs the head of each executive agency to designate one person from the agency to establish and operate a central monitoring system for the oversight of agency motor vehicle operations and related activities. Requires the head of each executive agency to develop a system to collect and analyze all costs incurred by the agency with respect to motor vehicles used by the agency.

Directs the Administrator of General Services to promulgate standards governing the establishment and operation by executive agencies of such system. Directs the head of each executive agency to include with its requests for each fiscal year a statement containing specified information concerning motor vehicle acquisition, leasing, operating, maintenance, and disposal costs. Requires such statement to explain: (1) why the agency's motor vehicle requirements cannot be met through the Interagency Fleet Management System operated by the Administrator of General Services; or (2) how such requirements could be met through a qualified contractor in the private sector. Directs the President to report to the Congress with a summary and analysis of such statements.

Requires the head of each executive agency to study the costs, benefits, and feasibility of contracting with a private contractor to meet its motor vehicle operation, maintenance, leasing, acquisition, and disposal requirements. Requires each agency to submit a report on such study to the Director of the Office of Management and Budget and the Comptroller General. Requires the Comptroller General to submit an analysis of such reports to the Congress.

Directs the Administrator to review the interagency motor vehicle consolidation and report to the Congress with findings. Directs the Administrator to take action as necessary to reduce motor vehicle storage and disposal costs.

Directs the President to ensure a specified reduction in agency motor vehicle costs by FY 1988. Requires the Director to report to appropriate congressional committees on the implementation of such budget restriction. Directs the President to apply such budget restriction primarily to motor vehicle fleets used at the headquarters and regional headquarters of agencies and not to line agency personnel.

Directs the Comptroller General to report to the Congress periodically on the implementation of this Act.

Title XVI: Higher Education Programs - Student Financial Assistance Amendments of 1985 - Subtitle A: Savings in Student Loan Program Operations - Amends the Higher Education Act of 1965 (HEA) to set forth provisions for recovery of outstanding advances to guaranty agencies. Requires the Secretary of Education to recover \$75,000,000 of such advances during FY 1988. Sets forth guidelines for such recovery.

Requires disbursement of federally insured student loans (FISL) and guaranteed student loans (GSL) to the institution the student attends.

Requires multiple disbursement of the FISL and GSL loans. Repeals existing incentives to make such multiple disbursements. Requires the origination fee on such loans to be deducted proportionately for each installment.

Prohibits a guaranty agency from filing a claim for reimbursement until 270 days after the loan becomes delinquent.

Changes the definition of default to include only those student loans that are 180 days delinquent in the case of loans payable in monthly installments or 240 days delinquent in the case of loans repayable in less frequent installments.

Deducts the administrative costs of supplemental preclaim assistance for default prevention from the Secretary's equitable share of payments made by the borrower.

Requires prompt payment under supplemental guaranty administrative cost agreements.

Requires the guaranty agency or an eligible lender in the State to make loans to students who are eligible to have interest benefits paid on their behalf but are otherwise unable to obtain loans. Requires such loans to be no less than \$200 and no more than the need of the borrower.

Amends part B (Federal, State, and Private Programs of Low-Interest Insured Loans to Students in Institutions of Higher Education) of title IV (Student Assistance) of HEA to add new provisions for student loan consolidation.

Directs the Secretary of Education or a guaranty agency to enter into agreements with the Student Loan Marketing Association (Sallie Mae) and specified eligible commercial lenders and State agencies to provide consolidation loans to eligible borrowers. Provides for such consolidation of student loans made, insured, or guaranteed under part B or under part E (Direct Loans to Students in Institutions of Higher Education).

Requires that such consolidation loans be covered by a properly issued certificate of insurance. Provides that loans covered by a certificate of insurance issued by a guaranty agency shall be considered to be insured loans for purposes of Federal reimbursements, but that no administrative cost allowance will be paid with respect to such loans.

Defines eligible borrowers, for consolidation loan purposes, as those who: (1) owe at least \$5,000 to one or more lenders or programs under title IV; (2) have not carried at least one-half the normal full-time academic work-load at an eligible institution during the previous four months; (3) if in repayment status are not delinquent with respect to any required payment on such indebtedness by more than 90 days; and (4) are not parent borrowers under the Auxiliary Loan program.

Terminates an individual's eligibility for a consolidation loan upon receipt of a consolidation loan, except with respect to student loans received after the date of receipt of the consolidation loan. Provides that only loans received after such date shall be taken into account for the purpose of computing the outstanding indebtedness of such an individual.

Sets forth requirements for such consolidation loan agreements. Requires eligible commercial lenders to agree to make consolidation loans: (1) upon application of any eligible borrower, if the lender holds an outstanding loan of the borrower which is selected by the borrower for such consolidation; and (2) to other eligible borrowers only to the extent permitted by the Secretary in an agreement under specified provisions.

Requires specified State lending agencies to make such consolidation loans, subject to the availability of funds allocated for such purpose, to any eligible borrower who: (1) is, or was at the time of receiving a loan which is selected for consolidation, a resident of the State of such lender; or (2) received loans under title IV while attending an institution of higher education in the State of such lender. Permits such State lending

agencies to elect to limit the further availability of their consolidation loans to those borrowers for whom the State lending agency is the holder of a loan selected for consolidation.

Requires Sallie Mae to agree to make a consolidation loan upon application of any eligible borrower, if that borrower has no other application pending with another lender for a consolidation loan.

Directs the Secretary to issue certificates of comprehensive insurance coverage to lenders which have entered into such consolidation loan agreements. Sets forth required provisions for such certificates.

Provides that such consolidation loans shall be insurable only if the loan is made to an eligible borrower who has agreed to notify the holder of the loan promptly concerning any change of address and the loan is evidenced by a note or other written agreement which meets specified requirements.

Sets the interest rate for such consolidation loans at ten percent per year, except that in the case of a consolidation of auxiliary loans made to an independent undergraduate or graduate student the consolidation loan shall have an annual interest rate equal to the highest applicable interest rate on such auxiliary loans (either 12 or 14 percent).

Permits consolidation loan lenders, except as provided in specified provisions, to establish repayment terms, including graduated and income sensitive repayment schedules.

Requires that consolidation loans be repaid within specified time periods based on the original amount of the consolidation loan as follows: (1) within ten years if less than \$7,000; (2) within 13 years if \$7,500 or more but less than \$11,000; and (3) within 15 years if \$11,000 or more.

Prohibits charging an origination fee or insurance premium to the borrower on any consolidation loan. Provides that no insurance premium shall be payable by the lender to the issuer of the certificate of insurance with respect to any such loan.

Authorizes the Secretary, after a hearing and a determination of need, to enter into an agreement with specified eligible lenders from another State to consolidate loans in any State where specified eligible lenders from that State have not entered into such an agreement. Requires that notice of such hearing be sent to the Governor of the affected State and to specified lenders. Permits the Governor and lenders to present evidence and testimony and examine witnesses at such hearing. Requires that full consideration be given to the views of the Governor and lenders.

Provides that authority to make such consolidation loans shall expire at the close of FY 1991. Provides that consolidation loans shall not be considered to be new loans made to students for purposes of determining the maximum amount of loans that can be federally-insured under specified HEA provisions.

Makes technical and conforming amendments.

Provides that the applicable percentage to be added in determining the special allowance on consolidation loans shall be three percent (rather than three and one-half percent).

Directs the Secretary to: (1) evaluate the cost, efficiency, and impact of the consolidation loan program established by this Act; and (2) report to the Congress by June 30, 1988, on findings and recommendations relating to such evaluation.

Extends the student loan program through FY 1988. Extends the Federal loan insurance program for any

loans made or installments paid through September 30, 1992. Gives Sallie Mae priority over the United States with respect to indebtedness issued or incurred on or before September 30, 1990.

Extends the family contribution schedules of the Student Financial Assistance Technical Amendments Act of 1982 through June 30, 1990.

Requires Sallie Mae, during FY 1986, to reduce the level of obligations owed to the Federal Financing Bank by \$30,000,000. Prohibits Sallie Mae from crediting this amount to reduce obligations to repay the Bank amounts owed in FY 1987 and 1988. Provides that requirements under this part shall not be construed to authorize Sallie Mae or the Bank to renegotiate a specified contract or agreement.

Subtitle B: Savings from Improved Student Loan Collection - Requires agreements with State and guaranty agencies to provide for independent financial and compliance audits of the guaranty agency, with regard to its performance under the agreement, at least once every two years.

Revises provisions for payment of excess recovery to the insured to include reasonable administrative and collection costs in the costs of the Secretary's recovery on any FISL loan.

Requires, under GSL provisions (as well as under current FISL provisions), each guarantee agency (as well as the Secretary) to enter into cooperative agreements with credit bureau organizations to exchange information concerning student borrowers.

Authorizes each guarantee agency, eligible lender, and subsequent holder to disclose specified information concerning student borrowers to the eligible institutions such borrowers attend or previously attended.

Allows, notwithstanding specified provisions of the Fair Credit Reporting Act, a consumer reporting agency to make a report containing information received from the Secretary or a guarantee agency regarding the status of a borrower's account on a loan under the FISL or GSL program for a period of up to seven years after: (1) the date on which the agency paid a claim to the holder on the guarantee; or (2) the Secretary, agency, eligible lender, or subsequent holder first reported the account to a consumer reporting agency.

Authorizes the Secretary to impose a civil penalty of up to \$15,000 for each of specified violations or failures to carry out student aid provisions or regulations or misrepresentations of financial charges by a lender or guarantee agency. Authorizes the Secretary to compromise such penalties.

Requires National Direct Student Loan (NDSL) agreements to provide that where a note or written agreement evidencing a loan is in default despite due diligence on the part of the institution to collect such loan: (1) if the institution has failed to maintain an acceptable collection record generally with respect to NDSL loans, the Secretary may require such institution to assign its rights under such note or agreement to the United States, without recompense, and apportion any sums collected on such a loan among other institutions; or (2) if the institution has not failed to maintain an acceptable NDSL collection record, the Secretary may allow such institution to transfer its interest in such loan to the Secretary for collection and the Secretary may use the collections to make allocations to institutions or the Secretary may allow the institution to refer such note or agreement to the Secretary who shall repay the institution after collection. Allows, notwithstanding specified provisions of the Fair Credit Reporting Act, a consumer reporting agency to make a report containing information received from the Secretary or a guarantee agency regarding the status of a borrower's account on a loan under the FISL or GSL program for a period of up to seven years after: (1) the date on which the Secretary or the agency paid a claim to the holder on the guarantee; or (2) the date the Secretary first reports the account to a consumer reporting agency, if that account has not been previously reported by

any other holder of the note.

Requires each institution to include in its information to NDSL student borrowers a description of any penalty imposed as a consequence of default (such as liability for expenses reasonably incurred in attempts by the Secretary or institutions to collect on a loan).

Makes mandatory, rather than discretionary, the assessment of a charge for failure of an NDSL borrower to pay all or part of an installment when due. Requires that such charge include the expenses reasonably incurred in attempting such collection with respect to such loan.

Authorizes the Secretary, in attempting to collect any defaulted NDSL loan, to use any collection means available to the United States, including referral to the Attorney General for litigation. Directs the Secretary to continue to collect any loan assigned under provisions for assignment of rights to the United States until all appropriate collection efforts, as determined by the Secretary, have been expended.

Subtitle C: Savings Related to General Provisions - Requires the Secretary to permit the exclusion from family income of any proceeds of a foreclosure, forfeiture, or bankruptcy of a farm or business for purposes of computing family contributions for certain programs.

Requires identification of a student by social security number or student identification number for eligibility for student assistance.

Requires a student (not a graduate or professional student) in order to receive any loan under title IV, to: (1) have received a determination of eligibility or ineligibility; or (2) have filed an application for a Pell grant and received a preliminary determination of eligibility or ineligibility.

Provides for a six-year statute of limitations on specified collection suits for student loans.

Requires an institution that receives funds for any program under title IV to use such funds and the interest on such funds for the purposes specified in such program. Requires institutions that receive funds under title IV or from a student or parent who has a loan guaranteed under title IV to have an independent financial and compliance audit at least once every two years.

Subtitle D: Effective Dates - Sets forth effective dates.

Title XVII: Graduate Medical Education Council and Technical Amendments to the Public Health Service Act - Amends the Public Health Service Act to add provisions relating to graduate medical education.

Establishes a Council on Graduate Medical Education to advise the Secretary and the Congress on: (1) the supply of physicians in the United States; (2) current and future shortages or excesses in medical and surgical specialties and subspecialties; (3) issues related to foreign medical school graduates; (4) appropriate Federal policies with respect to the matters specified in (1), (2), and (3); (5) appropriate efforts to be carried out by hospitals, schools of medicine, and schools of osteopathy with respect to matters specified in (1), (2), and (3); and (6) deficiencies in existing data bases concerning the supply and distribution of, and post-graduate training programs for, physicians. Requires the Council to encourage graduate medical education entities to achieve the Council's recommendations on efforts they should make to meet the issues of (1), (2), and (3). Requires the Council to report once every three years starting July 1, 1988. Terminates the Council on September 30, 1996.

Provides that special pay provisions do not apply to Public Health Service officers serving in the Indian Health Service. Provides additional pay for service at the Gillis W. Long Hansen's Disease Center.

Authorizes the Secretary to use fiscal agents to: (1) determine the amounts payable to persons who, on behalf of the Indian Health Service, furnish health services to Indians and to persons who, on behalf of the Public Health Service, furnish health services to persons at migrant health centers or to certain merchant seamen; (2) receive, disburse, and account for such funds; (3) make audits; and (4) perform other functions.

Makes technical revisions to the Public Health Service Act relating to emergency medical services for children.

Title XVIII: Small Business Programs - Amends the Small Business Act to authorize program levels for FY 1986 through 1988 to the Small Business Administration (SBA) for direct and immediate participation loans for small business plant acquisition, construction, conversion, or expansion. Makes specified amounts available out of such authorization for: (1) handicapped persons and organizations for the handicapped; (2) small businesses either located in urban or rural areas with high unemployment and low incomes or owned by low-income individuals; and (3) disabled veterans and Vietnam veterans.

Authorizes program levels for FY 1986 through 1988 for deferred participation loans and debenture guarantees for small business plant acquisition, construction, conversion, or expansion and small business development companies under the Small Business Investment Act of 1958. Makes specified amounts available out of such authorization for: (1) handicapped persons and organizations for the handicapped; (2) small businesses either located in urban or rural areas with high unemployment and low income or owned by low-income individuals; (3) small businesses which design, manufacture, and distribute energy measures; and (4) guarantees of debentures with respect to State and local development companies.

Authorizes program levels for FY 1986 through 1988 under specified sections of the Small Business Investment Act of 1958 for: (1) direct purchases and guarantees of debentures and purchases of preferred securities with respect to small business investment companies; (2) surety bond guarantees; and (3) payment guarantees for the installation of pollution control facilities by small businesses.

Authorizes appropriations to the SBA for FY 1986 through 1988. Makes specified amounts available out of such authorization for: (1) direct and immediate participation loans for small business plant acquisition, construction, conversion, or expansion, handicapped persons and organizations for the handicapped, small businesses either located in urban or rural areas with high unemployment and low income or owned by low-income individuals, and Vietnam veterans; (2) deferred participation loans and debenture guarantees for small business plant acquisition, construction, conversion, or expansion and small business development companies; (3) deferred participation loans to handicapped persons and organizations for the handicapped, small businesses either located in urban or rural areas with high unemployment and low incomes or owned by low-income individuals, and small businesses which design, manufacture, and distribute energy measures; (4) guarantees of debentures with respect to State and local development companies; (5) direct purchases and guarantees of debentures and purchases of preferred securities with respect to small business investment companies; (6) surety bond guarantees under the Small Business Investment Act of 1958; and (7) SBA salaries and expenses.

Authorizes appropriations for FY 1986 through 1988 for disaster loans to small businesses and permits the transfer of funds from the disaster loan revolving funds for the payment of SBA administrative expenses.

Requires the Secretary of Labor, in determining labor surplus areas with respect to Government procurement

with small businesses, to make such determination on the basis of criteria in effect at the time of such determination, provided that any minimum population criteria shall not exceed 25,000.

Amends the Small Business Investment Act of 1958 to provide that certain obligations issued by small business investment companies and guaranteed by the SBA are not eligible for purchase by the Federal Financing Bank.

Authorizes the SBA to issue to small businesses trust certificates representing all or a part of the guaranteed debentures issued by small business investment companies and guaranteed by the SBA. Requires such trust certificates to be based on and backed by a trust or pool approved by the SBA and composed solely of guaranteed debentures. Authorizes the SBA to guarantee the payment of the principal of and interest on such trust certificates. Prohibits the SBA from collecting any fee for any such guarantees. Requires the SBA to provide for a central registration of all trust certificates sold under this Act.

Amends the Small Business Act to exclude agricultural enterprises from eligibility for small business disaster loans and loans necessitated by Federal action or law. Repeals specified provisions concerning disaster loans to small businesses that are affected by Federal action.

Deletes a specified provision relating to interest rates on the Federal share of disaster loans to small businesses.

Deletes provisions with respect to the agricultural enterprises exception to the prohibition against duplication of work or activity by the SBA and other Federal agencies.

Requires the SBA to continue to accept, process, and approve disaster loans to small businesses for disasters that occur prior to October 1, 1985.

Requires the SBA to collect a guarantee fee equal to two percent of the amount of the deferred participation share of any loan under this Act except a loan repayable in one year or less or a loan to State and local development companies under the Small Business Investment Act of 1958.

Amends the Small Business Investment Act of 1958 to authorize and direct the SBA to conduct a pilot program for the sale to investors of the SBA guaranteed debentures issued by State and local development companies.

Provides that certain debentures that are issued by State and local development companies and that are guaranteed by the SBA are not eligible for purchase by the Federal Financing Bank. Requires the SBA to report to the President and the Congress on the conduct of such pilot program. Authorizes the SBA to issue trust certificates for such debentures under the same authorities that are applicable to trust certificates issued for loans pursuant to specified provisions of the Small Business Act.

Amends the Small Business Act to provide penalties for persons who make false statements with respect to their status as a small business concern or small business concern owned and controlled by socially and economically disadvantaged individuals with regard to Federal contracts.

Requires the SBA to submit to specified congressional committees an internal report on: (1) the options available to providing guaranteed loans to small businesses from sources outside the Government, specifically the creation of a Federal corporation to make such guarantees; and (2) the imposition of an annual fee on each participating lender in such guaranteed loan program.

Requires the SBA to submit, by a specified time, to specified congressional committees a report on user fees (fees for services related to the SBA).

Requires the SBA to provide small businesses direct and guaranteed loans, debentures, payment of rentals, and other types of financial assistance and to purchase debentures and preferred securities and to guarantee sureties against loss pursuant to programs under the Small Business Act and the Small Business Investment Act of 1958.

Limits the SBA's participation on deferred loans to small businesses for plant acquisition, construction, conversion, or expansion to: (1) not less than 85 percent (currently 90 percent) of the outstanding balance of the financing if such financing does not exceed \$155,000; and (2) no more than 85 percent (currently 90 percent) of the financing outstanding if such financing exceeds \$155,000 but is less than \$714,285.

Increases the contract amount (from \$1,000,000 to \$1,250,000) that the SBA may guarantee to any surety with respect to certain bonds relating to small businesses.

Amends the Small Business Act to treat businesses owned by economically disadvantaged Indian tribes (including any Alaskan Native village or regional or village corporation) as socially and economically disadvantaged small businesses for purposes of the SBA's business development program. Sets forth specified factors to be considered by the SBA in determining the economic disadvantage of an Indian tribe.

Provides that an agricultural enterprise shall be deemed to be a small business if it (including its affiliates) has annual receipts of less than \$500,000.

Urges the SBA to: (1) evaluate the effectiveness of the Veterans Business Resource Councils and to recommend improvements in their operations; and (2) develop guidelines to assist in the establishment of such councils in States that do not have councils.

Title XIX: Veterans' Programs - Veterans' Health-Care and Compensation Rate Amendments of 1985 - Subtitle A: Health Care - Amends Federal law to direct the Administrator of Veterans Affairs to furnish hospital care, and allows the Administrator to furnish nursing home care as needed, to: (1) any veteran for a service-connected disability; (2) a veteran whose discharge from active duty was for a disability incurred in the line of duty, for any disability; (3) certain described veterans; (4) any veteran who has a service-connected disability, for any disability; (5) a veteran who is a former prisoner of war, or a veteran of specified wars; (6) a veteran exposed to a toxic substance or to radiation; and (7) a veteran for a non-service-connected disability if the Administrator determines that such veteran is unable to defray the expenses of such care. Authorizes the Administrator to furnish such care to veterans who fall within certain low-income levels. Authorizes the Administrator to furnish such care to otherwise ineligible veterans to the extent that resources and facilities are otherwise available.

Requires veterans not otherwise eligible for such care who still receive such care to repay the United States a specified amount for such care. Limits the repayment by such veterans to the amount of the inpatient Medicare deductible in effect during the first day of any 90-day period of such care.

Authorizes the Administrator to provide medical services furnished on an outpatient or ambulatory basis to: (1) any veteran for a service-connected disability; and (2) any veteran who has a service-connected disability rated at 50 percent or more, for any disability. Prohibits the provision of such services (including home health services) to veterans not otherwise eligible for such services unless such veterans agree to repay to the United States a specified amount of the costs of such services. Limits the repayment by such veterans to the amount

of the inpatient Medicare deductible in effect during the first day of any 90-day period of such care.

Authorizes the Administrator to furnish necessary medical services to a veteran: (1) who is a veteran of the Mexican border period or of World War I; or (2) who is in receipt of increased pension or disability compensation due to the need of regular aid and attendance or by reason of being permanently housebound.

Outlines situations under which it will be determined that a veteran is unable to defray necessary medical expenses (based on income thresholds). Directs the Administrator to report, at a specified time for each of FY 1986 through 1988, to the Senate and House Veterans' Affairs Committees on the furnishing of health care to veterans and the implementation of changes in such health care eligibility.

Authorizes the Administrator to contract for hospital care and medical services in non-Veterans Administration facilities when VA facilities are not capable of providing such services for certain described veterans. Directs the Administrator to periodically review such a contractual arrangement with a non-VA facility in order to determine its continued necessity.

Revises Federal law concerning recovery by the United States of the cost of certain care and services provided to veterans to give the United States the right to recover the reasonable cost of such care and services from a third party to the extent that the veteran would be eligible to receive payment for such care and services if such care and services had not been furnished by a department or agency of the United States. Outlines situations in which such provision is applicable.

Provides that the United States shall be subrogated to any right or claim that the veteran or the veteran's personal representative, successor, dependents, or survivors may have against a third party. Allows the United States to intervene in court proceedings to enforce such rights.

Allows the United States to bring its own action to enforce its subrogation rights if no such action is commenced within a certain period and written notice of its intention to bring such an action has been sent to the veteran.

Authorizes the Administrator of Veterans Affairs to enter into contracts or agreements with individuals or organizations for services to recover amounts due the United States under this Act. Outlines provisions to be included in such contracts.

Prohibits the law of any State or political subdivision thereof, or any insurance or health plan contract, from operating to prevent recovery or collection by the United States under this Act or any other applicable Federal law.

Requires clinical records of a veteran to be made available for purposes of aiding recovery or collection by the United States under this provision. Requires certain reports from the Administrator to the Senate and House Veterans' Affairs Committees on the implementation of these provisions.

Subtitle B: Compensation Rate Increases - Amends Federal law to increase the rates of veterans' disability compensation, additional compensation for dependents, the clothing allowance for certain disabled veterans, dependency and indemnity compensation for surviving spouses and for children, and supplemental dependency and indemnity compensation for children.

Subtitle C: Miscellaneous Provisions - Requires the Administrator to arrange for an epidemiological study of any long-term adverse health effects on women veterans of Vietnam as a result of: (1) traumatic experiences; (2) exposure to herbicides such as Agent Orange or to other chemicals or medications; or (3)

any other similar experience or exposure during such service. Requires the Administrator to notify the appropriate congressional committees if it is determined that such a study is not feasible. Requires the Director of the Office of Technology Assessment (OTA), if the Administrator makes such a negative determination, to report within 60 days of such determination to the same congressional committees, evaluating and commenting on such determination.

Requires any such study to be conducted in accordance with a protocol approved by the Director of OTA. Requires various reports concerning such study between the Director, the Administrator, and the appropriate congressional committees. Requires the Administrator, within 90 days after the submission of each such report, to publish in the Federal Register any actions proposed by the Administrator with respect to programs administered by the VA.

Directs the Administrator, no later than February 1, 1986, to establish the Advisory Committee on Native-American Veterans (the Committee) whose purpose shall be to examine and evaluate programs and activities of the VA with respect to the needs of veterans who are Native Americans, including American Indians and Alaska Natives. Outlines information to be included in such evaluation.

Outlines organizational aspects of the Committee. Directs the Committee, no later than November 1 of each of the years 1986 and 1987, to report its findings to the Administrator. Requires the Administrator, within 60 days after receiving each such report, to transmit a copy of such, together with comments and recommendations, to the Senate and House Veterans' Affairs Committees. Terminates the Committee 90 days after its submission of the second report to the Administrator.

Waives a congressional notice-and-wait period currently required of the Administrator before undertaking an administrative reorganization of certain VA automated data processing activities.

Ratifies certain temporarily expired authority with respect to: (1) the operation of a VA regional office in the Philippines; (2) contract medical care in Puerto Rico and the Virgin Islands; and (3) the veterans' alcohol and drug treatment and rehabilitation contract program.

Title XX: Miscellaneous Provisions - Sets forth Senate procedures regarding extraneous material and germaneness in the consideration of a reconciliation bill or resolution.

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