

I would also like to thank the gentleman from Maryland [Mr. GILCHREST] our ranking member, the gentleman from Minnesota [Mr. OBERSTAR], and certainly the gentleman from Pennsylvania [Mr. SHUSTER], for their help in putting together bipartisan legislation.

Mr. Speaker, I rise as the proud sponsor of H.R. 3576, to designate the new Federal bankruptcy court located at 401 South Michigan Street in South Bend, IN, as the Robert Kurtz Rodibaugh United States Bankruptcy Courthouse.

This bipartisan legislation recognizes the significant legal and personal contributions made by Judge Rodibaugh to both the legal profession and the American system of justice.

I will not go into all my remarks, Mr. Speaker. I would say that, again, this is supported by Republicans in our delegation and by the Democrats in our delegation. We hope to expedite this through today and get it passed by the Senate so that we can have this dedication ceremony in January 1997.

Mr. Speaker, I rise as the proud sponsor of H.R. 3576—to designate the new Federal bankruptcy court located at 401 South Michigan Street in South Bend, IN—as the “Robert Kurtz Rodibaugh United States Bankruptcy Courthouse.”

This bipartisan legislation recognizes the significant contributions made by Judge Rodibaugh to both the legal profession and the American system of justice. I am particularly grateful to the Transportation Committee for its timely consideration of this legislation in preparation for the official dedication of the new courthouse currently scheduled for January 1997.

Mr. Speaker, Judge Rodibaugh is recognized by the community and by his peers as an honorable man worthy of such a tribute. He has served the citizens and legal community of the northern district of Indiana wisely, efficiently, and honorably since his initial appointment as a referee in bankruptcy in November 1960 and throughout his legal career as a bankruptcy judge.

Throughout his tenure, Judge Rodibaugh has presided over the growth of the U.S. Bankruptcy Court for the Northern District of Indiana. Under Judge Rodibaugh's direction, the bankruptcy court expanded from one small courtroom with a part-time referee and a clerk's office of four employees in South Bend, IN, to four different courtrooms in the cities of South Bend, Fort Wayne, Gary, and Lafayette, IN, with four full-time judges and a clerk's office of over 40 employees.

Mr. Speaker, Judge Rodibaugh has fulfilled his duties as a referee in bankruptcy and bankruptcy judge with patience, fairness, dedication, and legal scholarship which is most worthy of recognition. His high standards have benefited the many law clerks and judicial personnel who have served under his tutelage, the lawyers who have practiced before the bankruptcy court, as well as the citizens residing in the northern district of Indiana.

Mr. Speaker, it is important for me to indicate that the firm of Panzica Development Co. with Western Avenue Properties of South Bend, IN, has graciously agreed to support this designation honoring Judge Rodibaugh,

owing to his unblemished character and numerous professional achievements in the bankruptcy field. In addition, the General Services Administration supports the designation of the building and has also endorsed this legislation.

I am confident that the “Robert Kurtz Rodibaugh United States Bankruptcy Courthouse” is an appropriate title for the new bankruptcy court facility in South Bend.

In conclusion, I urge my colleagues to support this legislation to honor Judge Rodibaugh—a truly remarkable public servant and outstanding Hoosier most worthy of this recognition.

Mr. TRAFICANT. Mr. Speaker, Judge Rodibaugh has served the citizens of South Bend, IN, for almost 50 years. He is a native son, a World War II veteran, and a skilled jurist. Under his stewardship the bankruptcy courts for the northern district of Indiana have grown from one small facility into four courts in South Bend, Fort Wayne, Gary, and Lafayette.

So I want to commend the gentleman from Indiana [Mr. ROEMER] for his support of the legislation. I would also like to commend our chairman of this subcommittee, the gentleman from Maryland [Mr. GILCHREST], for the fine job he has done and for the fairness he and his staff displayed throughout this term.

I do not know if we will have any more business pending before it, but there are a couple more naming bills I wish we would do.

Mr. GILCHREST. Mr. Speaker, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Speaker, I would like to say that my term of service as chairman of the subcommittee with the gentleman from Ohio [Mr. TRAFICANT] has been an exceedingly fine experience for ourselves and this institution.

Mr. TRAFICANT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the bill, as follows:

H.R. 3576

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

SECTION 1. FINDINGS.

Congress finds that—

(1) the Honorable Judge Robert Kurtz Rodibaugh has served the citizens and legal community of the northern district of Indiana wisely, efficiently, and honorably since his initial appointment as a referee in bankruptcy in November 1960 and throughout his lengthy career as a bankruptcy judge;

(2) during his tenure Judge Rodibaugh has overseen the growth of the bankruptcy court from one small courtroom with a part-time referee and a clerk's office of 4 employees in South Bend, Indiana, to 4 different courtrooms in the cities of South Bend, Fort Wayne, Gary, and Lafayette, Indiana, with 4 full-time judges and a clerk's office of over 40 employees;

(3) Judge Rodibaugh has fulfilled his duties as a referee in bankruptcy and bankruptcy

judge with patience, fairness, dedication, and legal scholarship which is most worthy of recognition; and

(4) Judge Rodibaugh's high standards have benefited the many law clerks and judicial personnel who have served under his tutelage, the lawyers who have practiced before the bankruptcy court, as well as the citizens residing in the northern district of Indiana.

SEC. 2. ROBERT KURTZ RODIBAUGH UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 401 South Michigan Street in South Bend, Indiana, shall be known and designated as the “Robert Kurtz Rodibaugh United States Courthouse”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “Robert Kurtz Rodibaugh United States Courthouse”.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3576.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 3539, FEDERAL AVIATION AUTHORIZATION ACT OF 1996

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 104-851) on the resolution (H. Res. 540) waiving points of order against the conference report to accompany the bill (H.R. 3539) to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration and for other purposes, which was referred to the House Calendar and ordered to be printed.

HYDROGEN FUTURE ACT OF 1996

Mr. WALKER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4138) to authorize the hydrogen research, development, and demonstration programs of the Department of Energy, and for other purposes.

The Clerk read as follows:

H.R. 4138

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Hydrogen Future Act of 1996”.

SEC. 2. DEFINITIONS.

For purposes of title II and III—

(1) the term “Department” means the Department of Energy; and

(2) the term “Secretary” means the Secretary of Energy.

TITLE I—HYDROGEN

SEC. 101. PURPOSES AND DEFINITIONS.

(a) Section 102(b)(1) of Public Law 101-566 (42 U.S.C. 12401(b)(1)) is amended to read as follows:

“(1) to direct the Secretary of Energy to conduct a research, development, and demonstration program leading to the production, storage, transport, and use of hydrogen for industrial, residential, transportation, and utility applications.”

(b) Section 102(c) of Public Law 101-566 (42 U.S.C. 12401(c)) is amended—

(1) in subsection (b) by striking “; and” and inserting “;”;

(2) by redesignating subsection (2) as subsection (3); and

(3) by inserting before subsection (3) (as redesignated) the following new subsection:

“(2) ‘Department’ means the Department of Energy; and”.

SEC. 102. REPORTS TO CONGRESS.

(a) Section 103 of Public Law 101-566 (42 U.S.C. 12402) is amended to read as follows:

“§ 103. Report to Congress.

“(a) Not later than January 1, 1999, the Secretary shall transmit to Congress a detailed report on the status and progress of the programs authorized under this Act.

“(b) A report under subsection (a) shall include, in addition to any views and recommendations of the Secretary,—

“(1) an analysis of the effectiveness of the programs authorized under this chapter, to be prepared and submitted to the Secretary by the Hydrogen Technical Advisory Panel established under section 108 of this Act; and

“(2) recommendations of the Hydrogen Technical Advisory Panel for any improvements in the program that are needed, including recommendations for additional legislation.”

(b) Section 108(d) of Public Law 101-566 (42 U.S.C. 12407(d)) is amended—

(1) by adding “and” at the end of paragraph (1);

(2) by striking “; and” at the end of paragraph (2) and inserting a period; and

(3) by striking paragraph (3).

SEC. 103. HYDROGEN RESEARCH AND DEVELOPMENT.

(a) Secretary 104 of Public Law 101-566 (42 U.S.C. 12493) is amended to read as follows:

“§ 104. Hydrogen research and development.

“(a) The Secretary shall conduct a hydrogen research and development program relating to production, storage, transportation, and use of hydrogen, with the goal of enabling the private sector to demonstrate the technical feasibility of using hydrogen for industrial, residential, transportation, and utility applications.

“(b) In conducting the program authorized by this section, the Secretary shall—

“(1) give particular attention to developing an understanding and resolution of critical technical issues preventing the introduction of hydrogen into the marketplace;

“(2) initiate or accelerate existing research in critical technical issues that will contribute to the development of more economic hydrogen production and use, including, but not limited to, critical technical issues with respect to production (giving priority to these production techniques that use renewable energy resources as their primary source of energy for hydrogen production), liquefaction, transmission, distribution, storage, and use (including use of hydrogen in surface transportation); and

“(3) survey private sector hydrogen activities and take steps to ensure that research and development activities under this section do not displace or compete with the privately funded hydrogen research and development activities of United States industry.

“(c) The Secretary is authorized to evaluate any reasonable new or improved technology, including basic research on highly innovative energy technologies, that could lead or contribute to the development of economic hydrogen production, storage, and utilization.

“(d) The Secretary is authorized to evaluate any reasonable new or improved technology that could lead or contribute to, or demonstrate the use of, advanced renewable energy systems or hybrid systems for use in isolated communities that currently import diesel fuel as the primary fuel for electric power production.

“(e) The Secretary is authorized to arrange for tests and demonstrations and to disseminate to researchers and developers information, data, and other materials necessary to support the research and development activities authorized under this section and other efforts authorized under this chapter, consistent with section 106 of this Act.

“(f) The Secretary shall carry out the research and development activities authorized under this section only through the funding of research and development proposals submitted by interested persons according to such procedures as the Secretary may require and evaluated on a competitive basis using peer review. Such funding shall be in the form of a grant agreement, procurement contract, or cooperative agreement (as those terms are used in chapter 63 of title 31, United States Code).

“(g) The Secretary shall not consider a proposal submitted by a person from industry unless the proposal contains a certification that reasonable efforts to obtain non-Federal funding for the entire cost of the project have been made, and that such non-Federal funding could not be reasonably obtained. As appropriate, the Secretary shall require a commitment from non-Federal sources of at least 50 percent of the cost of the development portion of such a proposal.

“(h) The Secretary shall not carry out any activities under this section that unnecessarily duplicate activities carried out elsewhere by the Federal Government or industry.

“(i) The Secretary shall establish, after consultation with other Federal agencies, terms and conditions under which Federal funding will be provided under this chapter that are consistent with the Agreement on Subsidies and Countervailing Measures referred to in section 101(d)(12) of the Uruguay Round Agreement Act (19 U.S.C. 3511(d)(12)).”

“(b)(1) Section 2026(a) of the Energy Policy Act of 1992 (42 U.S.C. 13436(a)) is amended by striking “, in accordance with sections 3001 and 3002 of this Act.”

“(2) Effective October 1, 1998, section 2026 of the Energy Policy Act of 1992 (42 U.S.C. 13436) is repealed.

SEC. 104. DEMONSTRATIONS.

Section 105 of Public Law 101-566 (42 U.S.C. 12404) is amended by adding at the end the following new subsection:

“(c) The Secretary shall require a commitment from non-Federal sources of at least 50 percent of the cost of any demonstration conducted under this section.”

SEC. 105. TECHNOLOGY TRANSFER.

Section 106(b) of Public Law 101-566 (42 U.S.C. 12405(b)) is amended by adding to the end of the subsection the following:

“The Secretary shall also foster the exchange of generic, nonproprietary information and technology, developed pursuant to this chapter, among industry, academia, and the Federal Government, to help the United States economy attain the economic benefits of this information and technology.”

SEC. 106. AUTHORIZATION OF APPROPRIATIONS.

Section 109 of Public Law 101-566 (42 U.S.C. 12408) is amended—

(1) by striking “to other Acts” and inserting “under other Acts”;

(2) by striking “and” from the end of paragraph (2);

(3) by striking the period from the end of paragraph (3) and inserting “;”;

(4) by adding at the end of the section the following:

“(4) \$14,500,000 for fiscal year 1996;

“(5) \$20,000,000 for fiscal year 1997;

“(6) \$25,000,000 for fiscal year 1998;

“(7) \$30,000,000 for fiscal year 1999;

“(8) \$35,000,000 for fiscal year 2000; and

“(9) \$40,000,000 for fiscal year 2001.”

TITLE II—FUEL CELLS

SEC. 201. INTEGRATION OF FUEL CELLS WITH HYDROGEN PRODUCTION SYSTEMS.

(a) Not later than 180 days after the date of enactment of this section, and subject to the availability of appropriations made specifically for this section, the Secretary of Energy shall solicit proposals for projects to prove the feasibility of integrating fuel cells with—

(1) photovoltaic systems for hydrogen production; or

(2) systems for hydrogen production from solid waste via gasification or steam reforming.

(b) Each proposal submitted in response to the solicitation under this section shall be evaluated on a competitive basis using peer review. The Secretary is not required to make an award under this section in the absence of a meritorious proposal.

(c) The Secretary shall give preference, in making an award under this section, to proposals that—

(1) are submitted jointly from consortia including academic institutions, industry, State or local governments, and Federal laboratories; and

(2) reflect proven experience and capability with technologies relevant to the systems described in subsections (a)(1) and (a)(2).

(d) In the case of a proposal involving development or demonstration, the Secretary shall require a commitment from non-Federal sources of at least 50 percent of the cost of the development or demonstration portion of the proposal.

(e) The Secretary shall establish, after consultation with other Federal agencies, terms and conditions under which Federal funding will be provided under this title that are consistent with the Agreement on Subsidies and Countervailing Measures referred to in section 101(d)(12) of the Uruguay Round Agreement Act (19 U.S.C. 3511(d)(12)).

SEC. 202. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated, for activities under this section, a total of \$50,000,000 for fiscal years 1997 and 1998, to remain available until September 30, 1999.

TITLE III—DOE SCIENTIFIC AND TECHNICAL PROGRAM QUALITY

SEC. 301. TEMPORARY APPOINTMENTS FOR SCIENTIFIC AND TECHNICAL EXPERTS IN DEPARTMENT OF ENERGY RESEARCH AND DEVELOPMENT PROGRAMS.

(a) The Secretary, utilizing authority under other applicable law and the authority of this section, may appoint for a limited term, or on a temporary basis, scientists, engineers, and other technical and profession personnel on leave of absence from academic, industrial, or research institutions to work for the Department.

(b) The Department may pay, to the extent authorized for certain other Federal employees by section 5723 of title 5, United States Code, travel expenses for any individual appointed for a limited term or on a temporary basis and transportation expenses of his or her immediate family and his or her household goods and personal effects from that individual's residence at the time of selection

or assignment to his or her duty station. The Department may pay such travel expenses to the same extent for such an individual's return to the former place of residence from his or her duty station, upon separation from the Federal service following an agreed period of service. The Department may also pay a per diem allowance at a rate not to exceed the daily amounts prescribed under section 5702 of title 5 to such an individual, in lieu of transportation expenses of the immediate family and household goods and personal effects, for the period of his or her employment with the Department. Notwithstanding any other provision of law, the employer's contribution to any retirement, life insurance, or health benefit plan for an individual appointed for a term of one year or less, which could be extended for no more than one additional year, may be made or reimbursed from appropriations available to the Department.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. WALKER] and the gentleman from California [Mr. BROWN] each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from California [Mr. BROWN] and I bring before the House H.R. 4138, the Hydrogen Future Act of 1996, to focus the U.S. Department of Energy's research and development programs of hydrogen as a fuel. Last year, with support on both sides of the aisle, a bill similar to this one, H.R. 655, passed the House with an overwhelming majority on May 2, 1995.

H.R. 4138 incorporates some changes made to the earlier bill to accommodate interests of Members of the Senate and the House. These changes have been approved by the chairman and ranking members of the committees of jurisdiction.

There are many people to thank who helped make passage of this bill possible. I would like to particularly acknowledge the ranking member of the House Science Committee, Mr. BROWN, for his support in cosponsoring this bill with me. Mr. BROWN has long been a supporter of hydrogen research and development, and I have appreciated his efforts in this area.

I would also like to thank the Committee on Government Reform and Oversight for its cooperation on a provision in this bill over which it has jurisdiction.

Mr. Speaker, H.R. 4138 provides the legislative authority necessary to continue the research and development of hydrogen as fuel into the 21st century.

Hydrogen is essentially a non-polluting, environmentally friendly, renewable resource that is one of the answers to our future energy needs.

H.R. 4138, contains three titles. Under Title I, which is basically a slightly revised version of the earlier bill, H.R. 655, which passed this House overwhelmingly last year, the U.S. Department of Energy is directed to continue and expand its research and development of hydrogen as a fuel cooperatively with the private sector under a

peer reviewed competitive process. Title I, increases funding for R&D over a period of 5 years to a level recommended by the Department of Energy's Hydrogen Technical Advisory Panel. This increase will help assure the best utilization of the funds while allowing budget priorities to be decided under a balanced plan.

Title II specifically addresses research and development of hydrogen as a fuel in conjunction with fuel cell technology. This is a limited provision which calls for a research and development project to be funded and completed within 3 years. Title II assures that the Secretary of Energy is not required to make an award in the absence of a meritorious proposal.

Title III allows the Secretary of Energy to make temporary appointments of scientists, engineers, and other professionals, who are on leave of absence from their own institutions, to work for the Department of Energy and to pay their travel expenses. These temporary personnel appointments are similar to those which other science agencies, such as the National Science Foundation, have used successfully for years to assure they have access to the best scientific and engineering professionals and administrators to assist in the operations of the agency.

The Hydrogen Future Act, gives the House the opportunity to send to the Senate, and then the President's desk, a bill which is good for the environment, good for the economy, good for our health, and good for our future.

I hope my colleagues will join me in voting for passage of H.R. 4138, the Hydrogen Future Act of 1996.

□ 1715

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of California. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Speaker, I rise today in support of the Hydrogen Future Act. After much work by several Committees of Congress, I believe that we now have an excellent legislative product. This bill directs the Department of Energy to study important research problems associated with hydrogen fuels, and it authorizes minimal, but sufficient, funds to carry out these directives.

As with many scientific endeavors, explaining the importance of these activities presents a unique challenge. However, today I am assisted by an editorial in the Washington Post, dated September 15, 1996, and titled, "If We Kicked the Oil Habit, Saddam Wouldn't Menace Us." The authors of that editorial make the case that: "Government-funded energy research and development is a far more prudent investment in economic security than military bases in the Arabian desert. * * * The only viable long-term U.S. strat-

egy is to leave the Gulf by dramatically cutting the nation's oil use. No one should underestimate the difficulties and costs of doing so. That is precisely why there is no more time to lose.

The authors of this editorial—who represent the U.S. Business and Industrial Council Education Foundation—realize that the global energy market forges bonds, for good or for bad, between every major economy in the world; and, in the last decade, it has been tensions in these relationships that have provided more impetus for the United States to go to war than any other factor. In fact, I would argue that energy security has, in part, replaced "communism" as the major international threat in the post-Cold War era. How we deal with this new threat define us as a nation, in much the same way that our approach to communism defined the post-World War II era.

To meet this challenge, the authors of this editorial and I envision a future where energy demands are met by a wide array of energy sources, and the United States has broken its ties of dependence on the Middle East. Many of these energy sources are already part of global commerce, although most are in a fledgling state. These techniques include solar cells, wind turbines, fuel cells, and other renewable energy sources.

I hope those who are listening understand that these technologies, and conservation methods, owe their success to a decade of Federal support for energy R&D. This R&D has produced: improved solar cell modules that allow the United States to lead the world in sales of this technology with over one-third of the \$300 million per year photovoltaics market; novel wind turbines that save the energy equivalent of 4.4 million barrels of oil each year in California alone; and new window pane that keeps more heat inside a house than a wall.

In addition to an opportunity to change the international balance of energy interests, energy R&D can also provide other benefits, such as: reduced environmental pollution, through increasingly clean fuels; improved international stability in developing countries, through the provision of cheap and plentiful energy, supplies; and enhanced U.S. economic growth, through reduced energy costs.

Hydrogen fuel, the subject of today's legislation, may one day play an important role as a source of fuel. Hydrogen fuel may one day become an energy technology that Americans use every day to satisfy their everyday energy needs. In particular, hydrogen shows particular promise as an automotive fuel, and recently several auto-makers have developed prototype hydrogen fuel cell cars and buses.

H.R. 4138, the measure before us today, will spur the demonstration of the technical feasibility of using hydrogen to fuel automobiles and for

other applications; And, it will help to advance the state of the art in the general problem areas of hydrogen production, storage, and utilization. Specifically, this legislation sets the course for the next five years for U.S. hydrogen R&D efforts and enhances the leadership role of the Department of Energy in this important area. For these reasons alone, I would urge a vote for H.R. 4138.

However, the bill also has a new title that was added by the Senate since the House passed this measure last year. This title provides broad authority to the Department to use scientists from the field as rotating staff, thereby strengthening the technical and scientific capabilities of the Department. I wholeheartedly support this initiative and applaud the Senate efforts to include this authority in H.R. 4138. I would also like to thank the House Government Reform Committee for discharging this part of the measure quickly so that we could pass this bill this year.

In closing, I would like to commend Chairman WALKER for conceiving of this bill and shepherding it through the legislative process. While we have had our differences in other areas of legislative interest this year, we both share a strong commitment to the hydrogen R&D efforts of the Federal Government and Mr. WALKER has shown an unwavering belief in this technology.

I urge the passage of H.R. 4138.

Mr. Speaker, I might mention that not only are we coauthoring this bill, but we are coauthors of this bill, which may be a unique situation in most of the legislation.

I urge the passage of H.R. 4138.

Mr. Speaker, I yield back the balance of my time.

Mr. WALKER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GUTKNECHT). The question is on the motion offered by the gentleman from Pennsylvania [Mr. WALKER] that the House suspend the rules and pass the bill, H.R. 4138.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

OMNIBUS CIVIL SERVICE REFORM ACT OF 1996

Mr. MICA. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 3841) to amend the civil service laws of the United States, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3841

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Omnibus Civil Service Reform Act of 1996".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—DEMONSTRATION PROJECTS

Sec. 101. Demonstration projects.

TITLE II—PERFORMANCE MANAGEMENT ENHANCEMENT

Sec. 201. Increased weight given to performance for order-of-retention purposes in a reduction in force.

Sec. 202. No appeal of denial of periodic step-increases.

Sec. 203. Performance appraisals.

Sec. 204. Amendments to incentive awards authority.

Sec. 205. Due process rights of managers under negotiated grievance procedures.

Sec. 206. Collection and reporting of training information.

TITLE III—ENHANCEMENT OF THRIFT SAVINGS PLAN AND CERTAIN OTHER BENEFITS

Sec. 301. Loans under the Thrift Savings Plan for furloughed employees.

Sec. 302. Domestic relations orders.

Sec. 303. Unreduced additional optional life insurance.

TITLE IV—REORGANIZATION FLEXIBILITY

Sec. 401. Voluntary reductions in force.

Sec. 402. Nonreimbursable details to Federal agencies before a reduction in force.

TITLE V—SOFT-LANDING PROVISIONS

Sec. 501. Temporary continuation of Federal employees' life insurance.

Sec. 502. Continued eligibility for health insurance.

Sec. 503. Job placement and counseling services.

Sec. 504. Education and retraining incentives.

TITLE VI—MISCELLANEOUS

Sec. 601. Reimbursements relating to professional liability insurance.

Sec. 602. Employment rights following conversion to contract.

Sec. 603. Debarment of health care providers found to have engaged in fraudulent practices.

Sec. 604. Consistent coverage for individuals enrolled in a health plan administered by the Federal banking agencies.

Sec. 605. Amendment to Public Law 104-134.

Sec. 606. Miscellaneous amendments relating to the health benefits program for Federal employees.

Sec. 607. Pay for certain positions formerly classified as GS-18.

Sec. 608. Repeal of section 1307 of title 5 of the United States Code.

Sec. 609. Extension of certain procedural and appeal rights to certain personnel of the Federal Bureau of Investigation.

TITLE I—DEMONSTRATION PROJECTS

SEC. 101. DEMONSTRATION PROJECTS.

(a) DEFINITIONS.—Paragraph (1) of section 4701(a) of title 5, United States Code, is

amended by striking subparagraph (A) and by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

(b) PRE-IMPLEMENTATION PROCEDURES.—Subsection (b) of section 4703 of title 5, United States Code, is amended to read as follows:

"(b) Before an agency or the Office may conduct or enter into any agreement or contract to conduct a demonstration project, the Office—

"(1) shall develop or approve a plan for such project which identifies—

"(A) the purposes of the project;

"(B) the methodology;

"(C) the duration; and

"(D) the methodology and criteria for evaluation;

"(2) shall publish the plan in the Federal Register;

"(3) may solicit comments from the public and interested parties in such manner as the Office considers appropriate;

"(4) shall obtain approval from each agency involved of the final version of the plan; and

"(5) shall provide notification of the proposed project, at least 30 days in advance of the date any project proposed under this section is to take effect—

"(A) to employees who are likely to be affected by the project; and

"(B) to each House of the Congress."

(c) NONWAIVABLE PROVISIONS.—Section 4703(c) of title 5, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) any provision of subchapter V of chapter 63 or subpart G of part III of this title;"

and

(2) by striking paragraph (3) and inserting the following:

"(3) any provision of chapter 15 or subchapter II or III of chapter 73 of this title;"

(d) LIMITATIONS.—Subsection (d) of section 4703 of title 5, United States Code, is amended to read as follows:

"(d)(1) Each demonstration project shall terminate before the end of the 5-year period beginning on the date on which the project takes effect, except that the project may continue for a maximum of 2 years beyond the date to the extent necessary to validate the results of the project.

"(2)(A) Not more than 15 active demonstration projects may be in effect at any time, and of the projects in effect at any time, not more than 5 may involve 5,000 or more individuals each.

"(B) Individuals in a control group necessary to validate the results of a project shall not, for purposes of any determination under subparagraph (A), be considered to be involved in such project."

(e) EVALUATIONS.—Subsection (h) of section 4703 of title 5, United States Code, is amended by adding at the end the following: "The Office may, with respect to a demonstration project conducted by another agency, require that the preceding sentence be carried out by such other agency."

(f) PROVISIONS FOR TERMINATION OF PROJECT OR MAKING IT PERMANENT.—Section 4703 of title 5, United States Code, is amended—

(1) in subsection (i) by inserting "by the Office" after "undertaken"; and

(2) by adding at the end the following:

"(j)(1) If the Office determines that termination of a demonstration project (whether under subsection (e) or otherwise) would result in the inequitable treatment of employees who participated in the project, the Office shall take such corrective action as is within its authority. If the Office determines that legislation is necessary to correct an inequity, it shall submit an appropriate legislative proposal to both Houses of Congress.