

108TH CONGRESS
2D SESSION

H. CON. RES. 528

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2004

Received

CONCURRENT RESOLUTION

Directing the Clerk of the House of Representatives to make technical corrections in the enrollment of the bill H.R. 4818.

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That in the enrollment of the bill (H.R. 4818)
3 making appropriations for foreign operations, export fi-
4 nancing, and related programs for the fiscal year ending
5 September 30, 2005, and for other purposes, the Clerk

1 of the House of Representatives shall make the following
2 corrections—

3 (1) in Division H, strike section 643 and insert:

4 SEC. 643. Section 653(j) of title 42, United States
5 Code, is amended by adding at the end the following new
6 paragraph:

7 “(7) INFORMATION COMPARISONS AND DISCLO-
8 SURE TO ASSIST IN FEDERAL DEBT COLLECTION.—

9 “(A) FURNISHING OF INFORMATION BY
10 THE SECRETARY OF THE TREASURY.—The Sec-
11 retary of the Treasury shall furnish to the Sec-
12 retary, on such periodic basis as determined by
13 the Secretary of the Treasury in consultation
14 with the Secretary, information in the custody
15 of the Secretary of the Treasury for comparison
16 with information in the National Directory of
17 New Hires, in order to obtain information in
18 such Directory with respect to persons—

19 “(i) who owe delinquent nontax debt
20 to the United States; and

21 “(ii) whose debt has been referred to
22 the Secretary of the Treasury in accord-
23 ance with 31 U.S.C. 3711(g).

24 “(B) REQUIREMENT TO SEEK MINIMUM
25 INFORMATION.—The Secretary of the Treasury

1 shall seek information pursuant to this section
2 only to the extent necessary to improve collec-
3 tion of the debt described in subparagraph (A).

4 “(C) DUTIES OF THE SECRETARY.—

5 “(i) INFORMATION DISCLOSURE.—The
6 Secretary, in cooperation with the Sec-
7 retary of the Treasury, shall compare in-
8 formation in the National Directory of
9 New Hires with information provided by
10 the Secretary of the Treasury with respect
11 to persons described in subparagraph (A)
12 and shall disclose information in such Di-
13 rectory regarding such persons to the Sec-
14 retary of the Treasury in accordance with
15 this paragraph, for the purposes specified
16 in this paragraph. Such comparison of in-
17 formation shall not be considered a match-
18 ing program as defined in 5 U.S.C. 552a.

19 “(ii) CONDITION ON DISCLOSURE.—

20 The Secretary shall make disclosures in ac-
21 cordance with clause (i) only to the extent
22 that the Secretary determines that such
23 disclosures do not interfere with the effec-
24 tive operation of the program under this
25 part. Support collection under section

1 466(b) of this title shall be given priority
2 over collection of any delinquent Federal
3 nontax debt against the same income.

4 “(D) USE OF INFORMATION BY THE SEC-
5 RETARY OF THE TREASURY.—The Secretary of
6 the Treasury may use information provided
7 under this paragraph only for purposes of col-
8 lecting the debt described in subparagraph (A).

9 “(E) DISCLOSURE OF INFORMATION BY
10 THE SECRETARY OF THE TREASURY.—

11 “(i) PURPOSE OF DISCLOSURE.—The
12 Secretary of the Treasury may make a dis-
13 closure under this subparagraph only for
14 purposes of collecting the debt described in
15 subparagraph (A).

16 “(ii) DISCLOSURES PERMITTED.—
17 Subject to clauses (iii) and (iv), the Sec-
18 retary of the Treasury may disclose infor-
19 mation resulting from a data match pursu-
20 ant to this paragraph only to the Attorney
21 General in connection with collecting the
22 debt described in subparagraph (A).

23 “(iii) CONDITIONS ON DISCLOSURE.—
24 Disclosures under this subparagraph shall
25 be—

1 “(I) made in accordance with
2 data security and control policies es-
3 tablished by the Secretary of the
4 Treasury and approved by the Sec-
5 retary;

6 “(II) subject to audit in a man-
7 ner satisfactory to the Secretary; and

8 “(III) subject to the sanctions
9 under subsection (l)(2).

10 “(iv) ADDITIONAL DISCLOSURES.—

11 “(I) DETERMINATION BY SECRE-
12 TARIES.—The Secretary of the Treas-
13 ury and the Secretary shall determine
14 whether to permit disclosure of infor-
15 mation under this paragraph to per-
16 sons or entities described in subclause
17 (II), based on an evaluation made by
18 the Secretary of the Treasury (in con-
19 sultation with and approved by the
20 Secretary), of the costs and benefits
21 of such disclosures and the adequacy
22 of measures used to safeguard the se-
23 curity and confidentiality of informa-
24 tion so disclosed.

1 “(II) PERMITTED PERSONS OR
2 ENTITIES.—If the Secretary of the
3 Treasury and the Secretary determine
4 pursuant to subclause (I) that disclo-
5 sures to additional persons or entities
6 shall be permitted, information under
7 this paragraph may be disclosed by
8 the Secretary of the Treasury, in con-
9 nection with collecting the debt de-
10 scribed in subparagraph (A), to a con-
11 tractor or agent of either Secretary
12 and to the Federal agency that re-
13 ferred such debt to the Secretary of
14 the Treasury for collection, subject to
15 the conditions in clause (iii) and such
16 additional conditions as agreed to by
17 the Secretaries.

18 “(v) RESTRICTIONS ON REDISCLO-
19 SURE.—A person or entity to which infor-
20 mation is disclosed under this subpara-
21 graph may use or disclose such informa-
22 tion only as needed for collecting the debt
23 described in subparagraph (A), subject to
24 the conditions in clause (iii) and such addi-

1 tional conditions as agreed to by the Secre-
 2 taries.

3 “(F) REIMBURSEMENT OF HHS COSTS.—

4 The Secretary of the Treasury shall reimburse
 5 the Secretary, in accordance with subsection
 6 (k)(3), for the costs incurred by the Secretary
 7 in furnishing the information requested under
 8 this paragraph. Any such costs paid by the Sec-
 9 retary of the Treasury shall be considered costs
 10 of implementing 31 U.S.C. 3711(g) in accord-
 11 ance with 31 U.S.C. 3711(g)(6) and may be
 12 paid from the account established pursuant to
 13 31 U.S.C. 3711(g)(7).”.

14 (2) in section 122 of title I of Division J, strike
 15 “0.83” and insert “0.80”.

Passed the House of Representatives November 20,
 2004.

Attest:

JEFF TRANDAHL,

Clerk.