

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by inserting after the item relating to section 583 the following:

“Sec. 584. Authorization of appropriations.”.

SEC. 11. REAUTHORIZATION OF NEGOTIATED RULEMAKING ACT OF 1990.

(a) PERMANENT REAUTHORIZATION.—Section 5 of the Negotiated Rulemaking Act of 1990 (Public Law 101-648; 5 U.S.C. 561 note) is repealed.

(b) CLOSURE OF ADMINISTRATIVE CONFERENCE.—

(1) IN GENERAL.—Section 569 of title 5, United States Code, is amended—

(A) by amending the section heading to read as follows:

“§569. Encouraging negotiated rulemaking”; and

(B) by striking out subsections (a) through (g) and inserting in lieu thereof the following:

“(a) The President shall designate an agency or designate or establish an interagency committee to facilitate and encourage agency use of negotiated rulemaking. An agency that is considering, planning or conducting a negotiated rulemaking may consult with such agency or committee for information and assistance.

“(b) To carry out the purposes of this subchapter, an agency planning or conducting a negotiated rulemaking may accept, hold, administer, and utilize gifts, devises, and bequests of property, both real and personal: Provided, That agency acceptance and use of such gifts, devises or bequests do not create a conflict of interest. Gifts and bequests of money and proceeds from sales of other property received as gifts, devises, or bequests shall be deposited in the Treasury and shall be disbursed upon the order of the head of such agency. Property accepted pursuant to this section, and the proceeds thereof, shall be used as nearly as possible in accordance with the terms of the gifts, devises, or bequests. For purposes of Federal income, estate, or gift taxes, property accepted under this section shall be considered as a gift, devise, or bequest to the United States.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by striking out the item relating to section 569 and inserting in lieu thereof the following:

“569. Encouraging negotiated rulemaking.”.

(c) EXPEDITED HIRING OF CONVENORS AND FACILITATORS.—

(1) DEFENSE AGENCY CONTRACTS.—Section 2304(c)(3)(C) of title 10, United States Code, is amended by inserting “or negotiated rulemaking” after “alternative dispute resolution”.

(2) FEDERAL CONTRACTS.—Section 303(c)(3)(C) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(3)(C)), is amended by inserting “or negotiated rulemaking” after “alternative dispute resolution”.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subchapter III of title 5, United States Code, is amended by adding at the end thereof the following new section:

“§570a. Authorization of appropriations

“There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this subchapter.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by inserting after the item relating to section 570 the following:

“Sec. 570a. Authorization of appropriations.”.

(e) STUDY.—No later than 180 days after the enactment of this Act, the Director of the Office of Management and Budget shall complete a study with recommendations on expediting the establishment of negotiated rulemaking committees, including eliminating any redundant administrative requirements related to filing a

committee charter under section 9 of the Federal Advisory Committee Act and providing public notice of such committee under section 564 of title 5, United States Code.

SEC. 12. JURISDICTION OF THE UNITED STATES COURT OF FEDERAL CLAIMS: BID PROTESTS.

(a) BID PROTESTS.—

(1) TERMINATION OF JURISDICTION OF DISTRICT COURTS.—Section 1491 of title 28, United States Code, is amended—

(A) by redesignating subsection (b) as subsection (d);

(B) in subsection (a)—

(i) by striking out “(a)(1)” and inserting in lieu thereof “(a) CLAIMS AGAINST THE UNITED STATES.—”;

(ii) in paragraph (2), by striking out “(2) To” and inserting in lieu thereof “(b) REMEDY AND RELIEF.—To”; and

(iii) by striking out paragraph (3); and

(C) by inserting after subsection (b), as designated by paragraph (1)(B)(ii), the following new subsection (c):

“(c) BID PROTESTS.—(1) The United States Court of Federal Claims has jurisdiction to render judgment on an action by an interested party objecting to a solicitation by a Federal agency for bids or proposals for a proposed contract or to a proposed award or the award of a contract. The court has jurisdiction to entertain such an action without regard to whether suit is instituted before or after the contract is awarded.

“(2) To afford relief in such an action, the court may award any relief that the court considers proper, including declaratory and injunctive relief.

“(3) In exercising jurisdiction under this subsection, the court shall give due regard to the interests of national defense and national security and the need for expeditious resolution of the action.

“(4) The district courts of the United States do not have jurisdiction of any action referred to in paragraph (1).”.

(2) CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of such section is amended by inserting “**bid protests**,” after “**generally**”;

(B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 91 of title 28, United States Code, is amended by striking out the item relating to section 1491 and inserting in lieu thereof the following:

“1491. Claims against United States generally; bid protests; actions involving Tennessee Valley Authority.”.

(b) NONEXCLUSIVITY OF GAO REMEDIES.—Section 3556 of title 31, United States Code, is amended by striking out “a district court of the United States or the United States Claims Court” in the first sentence and inserting in lieu thereof “the United States Court of Federal Claims”.

(c) SAVINGS PROVISIONS.—

(1) ORDERS.—The amendments made by this section shall not terminate the effectiveness of orders that have been issued by a court in connection with an action within the jurisdiction of that court on the day before the effective date of this section. Such orders shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked by a court of competent jurisdiction or by operation of law.

(2) PROCEEDINGS AND APPLICATIONS.—(A) The amendments made by this section shall not affect the jurisdiction of a court of the United States to continue with any proceeding that is pending before the court on the day before the effective date of this section.

(B) Orders may be issued in any such proceeding, appeals may be taken therefrom, and payments may be made pursuant to such orders, as if this section had not been enacted. An order issued in any such proceeding shall continue in

effect until modified, terminated, superseded, set aside, or revoked by a court of competent jurisdiction or by operation of law.

(C) Nothing in this paragraph prohibits the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this section had not been enacted.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on October 1, 1996.

RELATIVE TO USE OF DISASTER RESERVE FOR DISASTER ASSISTANCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 259; I further ask that the resolution be considered and agreed to and the motion to reconsider be laid upon the table, and that any statements relating to this resolution be printed in the RECORD.

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

The resolution (S. Res. 259) was agreed to as follows:

S. RES. 259

Resolved,

SECTION 1. USE OF DISASTER RESERVE FOR DISASTER ASSISTANCE.

It is the sense of the Senate that the Secretary of Agriculture should use the disaster reserve established under section 813 of the Agricultural Act of 1970 (7 U.S.C. 1427a) to alleviate distress to livestock producers caused by drought, flood, or other natural disasters in 1996, in the most efficient manner practicable, including cash payments from the sale of commodities currently in the disaster reserve. A livestock producer should be eligible to receive the assistance during the period beginning May 1, 1996, and ending not sooner than August 31, 1996.

SEC. 2. VOLUNTARY CONSERVATION ASSISTANCE.

It is the sense of the Senate that the Secretary of Agriculture should use the authorities provided in the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104-127) to provide voluntary conservation assistance to any person who is permitted to hay or graze conservation reserve land on an emergency basis.

RELATIVE TO SPECIAL CONSIDERATION FOR DISASTER ASSISTANCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 260; I further ask that the resolution be considered and agreed to and the motion to reconsider be laid upon the table, and that any statements relating to this resolution be printed in the RECORD.

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

The resolution (S. Res. 260) was agreed to as follows:

S. RES. 260

Resolved,

SECTION 1. SPECIAL CONSIDERATION FOR DISASTER ASSISTANCE.

It is the sense of the Senate that livestock producers who do not qualify for emergency