

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 828
OFFERED BY MR. LYNCH OF MASSACHUSETTS**

Page 2, line 5, strike “and”.

Page 2, after line 10, insert the following:

1 “(C) a debt with respect to which a levy
2 has been issued under section 6331 of such
3 Code (or, in the case of an applicant for em-
4 ployment, a debt with respect to which the ap-
5 plicant agrees to be subject to a levy issued
6 under such section); and

7 “(D) a debt with respect to which relief
8 under section 6343(a)(1)(D) of such Code is
9 granted;

Page 2, line 22, strike “Any” and insert “Subject to
subsection (c), any”.

Page 3, after line 6, insert the following:

10 “(c) REGULATIONS.—The Office of Personnel Man-
11 agement, in consultation with the Internal Revenue Serv-
12 ice, shall, for purposes of carrying out this section with
13 respect to the executive branch, promulgate any regula-

1 tions which the Office considers necessary, except that
2 such regulations shall provide for the following:

3 “(1) All due process rights, afforded by chapter
4 75 and any other provision of law, shall apply with
5 respect to a determination under this section that an
6 applicant is ineligible to be appointed or that an em-
7 ployee is ineligible to continue serving.

8 “(2) Before any such determination is given ef-
9 fect with respect to an individual, the individual
10 shall be afforded 90 days to demonstrate that such
11 individual’s debt is one described in subparagraph
12 (A), (B), (C), or (D) of section 7381(a)(1).

13 “(3) An employee may continue to serve, in a
14 situation involving financial hardship, if the contin-
15 ued service of such employee is in the best interests
16 of the United States, as determined on a case-by-
17 case basis.

18 “(d) REPORTS TO CONGRESS.—The Director of the
19 Office of Personnel Management shall report annually to
20 Congress on the number of exemptions made pursuant to
21 subsection (c)(3).

