

104TH CONGRESS
2^D SESSION

H. R. 3019

AN ACT

Making appropriations for fiscal year 1996 to make
a further downpayment toward a balanced
budget, and for other purposes.

104TH CONGRESS
2^D SESSION

H. R. 3019

AN ACT

Making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, and

1 out of applicable corporate or other revenues, receipts, and
2 funds, for the several departments, agencies, corpora-
3 tions, and other organizational units of Government for the
4 fiscal year 1996, and for other purposes, namely:

5 TITLE I

6 CONTINUING APPROPRIATIONS

7 SEC. 101. (a) Such amounts as may be necessary for
8 programs, projects or activities provided for in the Depart-
9 ments of Commerce, Justice, and State, the Judiciary, and
10 Related Agencies Appropriations Act, 1996, at a rate of
11 operations and to the extent and in the manner provided
12 for, the provisions of such Act to be effective as if it had
13 been enacted into law as the regular appropriations Act,
14 as follows:

15 AN ACT

16 Making appropriations for the Departments of Com-
17 merce, Justice, and State, the Judiciary, and related agen-
18 cies for the fiscal year ending September 30, 1996, and
19 for other purposes.

20 TITLE I—DEPARTMENT OF JUSTICE

21 GENERAL ADMINISTRATION

22 SALARIES AND EXPENSES

23 For expenses necessary for the administration of the
24 Department of Justice, \$74,282,000; including not to ex-
25 ceed \$3,317,000 for the Facilities Program 2000, and in-

1 cluding \$5,000,000 for management and oversight of Im-
2 migration and Naturalization Service activities, both sums
3 to remain available until expended: *Provided*, That not to
4 exceed 45 permanent positions and 51 full-time equivalent
5 workyears and \$7,477,000 shall be expended for the De-
6 partment Leadership Program only for the Offices of the
7 Attorney General and the Deputy Attorney General, exclu-
8 sive of augmentation that occurred in these offices in fiscal
9 year 1995: *Provided further*, That not to exceed 76 perma-
10 nent positions and 90 full-time equivalent workyears and
11 \$9,487,000 shall be expended for the Offices of Legislative
12 Affairs, Public Affairs and Policy Development: *Provided*
13 *further*, That the latter three aforementioned offices shall
14 not be augmented by personnel details, temporary trans-
15 fers of personnel on either a reimbursable or non-reim-
16 bursable basis or any other type of formal or informal
17 transfer or reimbursement of personnel or funds on either
18 a temporary or long-term basis.

19 COUNTERTERRORISM FUND

20 For necessary expenses, as determined by the Attor-
21 ney General, \$16,898,000, to remain available until ex-
22 pended, to reimburse any Department of Justice organiza-
23 tion for (1) the costs incurred in reestablishing the oper-
24 ational capability of an office or facility which has been
25 damaged or destroyed as a result of the bombing of the
26 Alfred P. Murrah Federal Building in Oklahoma City or

1 any domestic or international terrorist incident, (2) the
2 costs of providing support to counter, investigate or pros-
3 ecute domestic or international terrorism, including pay-
4 ment of rewards in connection with these activities, and
5 (3) the costs of conducting a terrorism threat assessment
6 of Federal agencies and their facilities: *Provided*, That
7 funds provided under this section shall be available only
8 after the Attorney General notifies the Committees on Ap-
9 propriations of the House of Representatives and the Sen-
10 ate in accordance with section 605 of this Act.

11 ADMINISTRATIVE REVIEW AND APPEALS

12 For expenses necessary for the administration of par-
13 don and clemency petitions and immigration related activi-
14 ties, \$38,886,000: *Provided*, That the obligated and unob-
15 ligated balances of funds previously appropriated to the
16 General Administration, Salaries and Expenses appropria-
17 tion for the Executive Office for Immigration Review and
18 the Office of the Pardon Attorney shall be merged with
19 this appropriation.

20 VIOLENT CRIME REDUCTION PROGRAMS, ADMINISTRATIVE
21 REVIEW AND APPEALS

22 For activities authorized by sections 130005 and
23 130007 of Public Law 103-322, \$47,780,000, to remain
24 available until expended, which shall be derived from the
25 Violent Crime Reduction Trust Fund: *Provided*, That the
26 obligated and unobligated balances of funds previously ap-

1 appropriated to the General Administration, Salaries and
2 Expenses appropriation under title VIII of Public Law
3 103–317 for the Executive Office for Immigration Review
4 shall be merged with this appropriation.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978, as amended, \$28,960,000; including
9 not to exceed \$10,000 to meet unforeseen emergencies of
10 a confidential character, to be expended under the direc-
11 tion of, and to be accounted for solely under the certificate
12 of, the Attorney General; and for the acquisition, lease,
13 maintenance and operation of motor vehicles without re-
14 gard to the general purchase price limitation.

15 UNITED STATES PAROLE COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the United States Parole
18 Commission as authorized by law, \$5,446,000.

19 LEGAL ACTIVITIES

20 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

21 (INCLUDING TRANSFER OF FUNDS)

22 For expenses necessary for the legal activities of the
23 Department of Justice, not otherwise provided for, includ-
24 ing not to exceed \$20,000 for expenses of collecting evi-
25 dence, to be expended under the direction of, and to be
26 accounted for solely under the certificate of, the Attorney

1 General; and rent of private or Government-owned space
2 in the District of Columbia; \$401,929,000; of which not
3 to exceed \$10,000,000 for litigation support contracts
4 shall remain available until expended: *Provided*, That of
5 the funds available in this appropriation, not to exceed
6 \$22,618,000 shall remain available until expended for of-
7 fice automation systems for the legal divisions covered by
8 this appropriation, and for the United States Attorneys,
9 the Antitrust Division, and offices funded through “Sala-
10 ries and Expenses”, General Administration: *Provided fur-*
11 *ther*, That of the total amount appropriated, not to exceed
12 \$1,000 shall be available to the United States National
13 Central Bureau, INTERPOL, for official reception and
14 representation expenses: *Provided further*, That notwith-
15 standing 31 U.S.C. 1342, the Attorney General may ac-
16 cept on behalf of the United States and credit to this ap-
17 propriation, gifts of money, personal property and serv-
18 ices, for the purpose of hosting the International Criminal
19 Police Organization’s (INTERPOL) American Regional
20 Conference in the United States during fiscal year 1996.

21 In addition, for reimbursement of expenses of the De-
22 partment of Justice associated with processing cases
23 under the National Childhood Vaccine Injury Act of 1986,
24 not to exceed \$4,028,000, to be appropriated from the
25 Vaccine Injury Compensation Trust Fund, as authorized

1 by section 6601 of the Omnibus Budget Reconciliation
2 Act, 1989, as amended by Public Law 101–512 (104 Stat.
3 1289).

4 In addition, for Salaries and Expenses, General Legal
5 Activities, \$12,000,000 shall be made available to be de-
6 rived by transfer from unobligated balances of the Work-
7 ing Capital Fund in the Department of Justice.

8 VIOLENT CRIME REDUCTION PROGRAMS, GENERAL LEGAL
9 ACTIVITIES

10 For the expeditious deportation of denied asylum ap-
11 plicants, as authorized by section 130005 of Public Law
12 103–322, \$7,591,000, to remain available until expended,
13 which shall be derived from the Violent Crime Reduction
14 Trust Fund.

15 SALARIES AND EXPENSES, ANTITRUST DIVISION

16 For expenses necessary for the enforcement of anti-
17 trust and kindered laws, \$65,783,000: *Provided*, That not-
18 withstanding any other provision of law, not to exceed
19 \$48,262,000 of offsetting collections derived from fees col-
20 lected for premerger notification filings under the Hart-
21 Scott-Rodino Antitrust Improvements Act of 1976 (15
22 U.S.C. 18(a)) shall be retained and used for necessary ex-
23 penses in this appropriation, and shall remain available
24 until expended: *Provided further*, That the sum herein ap-
25 propriated from the General Fund shall be reduced as
26 such offsetting collections are received during fiscal year

1 1996, so as to result in a final fiscal year 1996 appropria-
2 tion from the General Fund estimated at not more than
3 \$17,521,000: *Provided further*, That any fees received in
4 excess of \$48,262,000 in fiscal year 1996, shall remain
5 available until expended, but shall not be available for obli-
6 gation until October 1, 1996.

7 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

8 For necessary expenses of the Office of the United
9 States Attorneys, including intergovernmental agree-
10 ments, \$895,509,000, of which not to exceed \$2,500,000
11 shall be available until September 30, 1997 for the pur-
12 poses of (1) providing training of personnel of the Depart-
13 ment of Justice in debt collection, (2) providing services
14 to the Department of Justice related to locating debtors
15 and their property, such as title searches, debtor
16 skiptracing, asset searches, credit reports and other inves-
17 tigation, (3) paying the costs of the Department of Jus-
18 tice for the sale of property not covered by the sale pro-
19 ceeds, such as auctioneers' fees and expenses, maintenance
20 and protection of property and businesses, advertising and
21 title search and surveying costs, and (4) paying the costs
22 of processing and tracking debts owed to the United
23 States Government: *Provided*, That of the total amount
24 appropriated, not to exceed \$8,000 shall be available for
25 official reception and representation expenses: *Provided*
26 *further*, That not to exceed \$10,000,000 of those funds

1 available for automated litigation support contracts and
2 \$4,000,000 for security equipment shall remain available
3 until expended: *Provided further*, That in addition to reim-
4 bursable full-time equivalent workyears available to the
5 Office of the United States Attorneys, not to exceed 8,595
6 positions and 8,862 full-time equivalent workyears shall
7 be supported from the funds appropriated in this Act for
8 the United States Attorneys.

9 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES
10 ATTORNEYS

11 For activities authorized by sections 190001(d),
12 40114 and 130005 of Public Law 103–322, \$30,000,000,
13 to remain available until expended, which shall be derived
14 from the Violent Crime Reduction Trust Fund, of which
15 \$20,269,000 shall be available to help meet increased de-
16 mands for litigation and related activities, \$500,000 to im-
17 plement a program to appoint additional Federal Victim’s
18 Counselors, and \$9,231,000 for expeditious deportation of
19 denied asylum applicants.

20 UNITED STATES TRUSTEE SYSTEM FUND

21 For necessary expenses of the United States Trustee
22 Program, \$102,390,000, as authorized by 28 U.S.C.
23 589a(a), to remain available until expended, for activities
24 authorized by section 115 of the Bankruptcy Judges,
25 United States Trustees, and Family Farmer Bankruptcy
26 Act of 1986 (Public Law 99–554), which shall be derived

1 from the United States Trustee System Fund: *Provided*,
2 That deposits to the Fund are available in such amounts
3 as may be necessary to pay refunds due depositors: *Pro-*
4 *vided further*, That, notwithstanding any other provision
5 of law, not to exceed \$44,191,000 of offsetting collections
6 derived from fees collected pursuant to section 589a(f) of
7 title 28, United States Code, as amended, shall be retained
8 and used for necessary expenses in this appropriation:
9 *Provided further*, That the \$102,390,000 herein appro-
10 priated from the United States Trustee System Fund shall
11 be reduced as such offsetting collections are received dur-
12 ing fiscal year 1996, so as to result in a final fiscal year
13 1996 appropriation from such Fund estimated at not more
14 than \$58,199,000: *Provided further*, That any of the afore-
15 mentioned fees collected in excess of \$44,191,000 in fiscal
16 year 1996 shall remain available until expended, but shall
17 not be available for obligation until October 1, 1996.

18 SALARIES AND EXPENSES, FOREIGN CLAIMS

19 SETTLEMENT COMMISSION

20 For expenses necessary to carry out the activities of
21 the Foreign Claims Settlement Commission, including
22 services as authorized by 5 U.S.C. 3109, \$830,000.

23 SALARIES AND EXPENSES, UNITED STATES MARSHALS

24 SERVICE

25 For necessary expenses of the United States Mar-
26 shals Service; including the acquisition, lease, mainte-

1 nance, and operation of vehicles and aircraft, and the pur-
2 chase of passenger motor vehicles for police-type use with-
3 out regard to the general purchase price limitation for the
4 current fiscal year; \$423,248,000, as authorized by 28
5 U.S.C. 561(i), of which not to exceed \$6,000 shall be
6 available for official reception and representation ex-
7 penses.

8 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES
9 MARSHALS SERVICE

10 For activities authorized by section 190001(b) of
11 Public Law 103-322, \$25,000,000, to remain available
12 until expended, which shall be derived from the Violent
13 Crime Reduction Trust Fund.

14 FEDERAL PRISONER DETENTION
15 (INCLUDING TRANSFER OF FUNDS)

16 For expenses related to United States prisoners in
17 the custody of the United States Marshals Service as au-
18 thorized in 18 U.S.C. 4013, but not including expenses
19 otherwise provided for in appropriations available to the
20 Attorney General; \$252,820,000, as authorized by 28
21 U.S.C. 561(i), to remain available until expended.

22 In addition, for Federal Prisoner Detention,
23 \$9,000,000 shall be made available until expended to be
24 derived by transfer from unobligated balances of the
25 Working Capital Fund in the Department of Justice.

1 FEES AND EXPENSES OF WITNESSES

2 For expenses, mileage, compensation, and per diems
3 of witnesses, for expenses of contracts for the procurement
4 and supervision of expert witnesses, for private counsel ex-
5 penses, and for per diems in lieu of subsistence, as author-
6 ized by law, including advances, \$85,000,000, to remain
7 available until expended; of which not to exceed
8 \$4,750,000 may be made available for planning, construc-
9 tion, renovations, maintenance, remodeling, and repair of
10 buildings and the purchase of equipment incident thereto
11 for protected witness safesites; of which not to exceed
12 \$1,000,000 may be made available for the purchase and
13 maintenance of armored vehicles for transportation of pro-
14 tected witnesses; and of which not to exceed \$4,000,000
15 may be made available for the purchase, installation and
16 maintenance of a secure automated information network
17 to store and retrieve the identities and locations of pro-
18 tected witnesses.

19 SALARIES AND EXPENSES, COMMUNITY RELATIONS

20 SERVICE

21 For necessary expenses of the Community Relations
22 Service, established by title X of the Civil Rights Act of
23 1964, \$5,319,000.

24 ASSETS FORFEITURE FUND

25 For expenses authorized by 28 U.S.C.
26 524(e)(1)(A)(ii), (B), (C), (F), and (G), as amended,

1 \$30,000,000 to be derived from the Department of Justice
2 Assets Forfeiture Fund.

3 RADIATION EXPOSURE COMPENSATION

4 ADMINISTRATIVE EXPENSES

5 For necessary administrative expenses in accordance
6 with the Radiation Exposure Compensation Act,
7 \$2,655,000.

8 PAYMENT TO RADIATION EXPOSURE COMPENSATION

9 TRUST FUND

10 For payments to the Radiation Exposure Compensa-
11 tion Trust Fund, \$16,264,000, to become available on Oc-
12 tober 1, 1996.

13 INTERAGENCY LAW ENFORCEMENT

14 INTERAGENCY CRIME AND DRUG ENFORCEMENT

15 For necessary expenses for the detection, investiga-
16 tion, and prosecution of individuals involved in organized
17 crime drug trafficking not otherwise provided for, to in-
18 clude intergovernmental agreements with State and local
19 law enforcement agencies engaged in the investigation and
20 prosecution of individuals involved in organized crime drug
21 trafficking, \$359,843,000, of which \$50,000,000 shall re-
22 main available until expended: *Provided*, That any
23 amounts obligated from appropriations under this heading
24 may be used under authorities available to the organiza-
25 tions reimbursed from this appropriation: *Provided fur-*
26 *ther*, That any unobligated balances remaining available

1 at the end of the fiscal year shall revert to the Attorney
2 General for reallocation among participating organizations
3 in succeeding fiscal years, subject to the reprogramming
4 procedures described in section 605 of this Act.

5 FEDERAL BUREAU OF INVESTIGATION

6 SALARIES AND EXPENSES

7 (INCLUDING TRANSFER OF FUNDS)

8 For expenses necessary for detection, investigation,
9 and prosecution of crimes against the United States; in-
10 cluding purchase for police-type use of not to exceed 1,815
11 passenger motor vehicles of which 1,300 will be for re-
12 placement only, without regard to the general purchase
13 price limitation for the current fiscal year, and hire of pas-
14 senger motor vehicles; acquisition, lease, maintenance and
15 operation of aircraft; and not to exceed \$70,000 to meet
16 unforeseen emergencies of a confidential character, to be
17 expended under the direction of, and to be accounted for
18 solely under the certificate of, the Attorney General;
19 \$2,189,183,000, of which not to exceed \$50,000,000 for
20 automated data processing and telecommunications and
21 technical investigative equipment and \$1,000,000 for un-
22 dercover operations shall remain available until September
23 30, 1997; of which not less than \$102,345,000 shall be
24 for counterterrorism investigations, foreign counterintel-
25 ligence, and other activities related to our national secu-
26 rity; of which not to exceed \$98,400,000 shall remain

1 available until expended; of which not to exceed
2 \$10,000,000 is authorized to be made available for making
3 payments or advances for expenses arising out of contrac-
4 tual or reimbursable agreements with State and local law
5 enforcement agencies while engaged in cooperative activi-
6 ties related to violent crime, terrorism, organized crime,
7 and drug investigations; and of which \$1,500,000 shall be
8 available to maintain an independent program office dedi-
9 cated solely to the relocation of the Criminal Justice Infor-
10 mation Services Division and the automation of finger-
11 print identification services: *Provided*, That not to exceed
12 \$45,000 shall be available for official reception and rep-
13 resentation expenses: *Provided further*, That \$58,000,000
14 shall be made available for NCIC 2000, of which not less
15 than \$35,000,000 shall be derived from ADP and Tele-
16 communications unobligated balances, and of which
17 \$22,000,000 shall be derived by transfer and available
18 until expended from unobligated balances in the Working
19 Capital Fund of the Department of Justice.

20 VIOLENT CRIME REDUCTION PROGRAMS

21 For activities authorized by Public Law 103-322,
22 \$218,300,000, to remain available until expended, which
23 shall be derived from the Violent Crime Reduction Trust
24 Fund, of which \$208,800,000 shall be for activities au-
25 thorized by section 190001(c); \$4,000,000 for Training
26 and Investigative Assistance authorized by section

1 210501(c)(2); and \$5,500,000 for establishing DNA qual-
2 ity assurance and proficiency testing standards, establish-
3 ing an index to facilitate law enforcement exchange of
4 DNA identification information, and related activities au-
5 thorized by section 210306.

6 CONSTRUCTION

7 For necessary expenses to construct or acquire build-
8 ings and sites by purchase, or as otherwise authorized by
9 law (including equipment for such buildings); conversion
10 and extension of federally-owned buildings; and prelimi-
11 nary planning and design of projects; \$97,589,000, to re-
12 main available until expended.

13 DRUG ENFORCEMENT ADMINISTRATION

14 SALARIES AND EXPENSES

15 For necessary expenses of the Drug Enforcement Ad-
16 ministration, including not to exceed \$70,000 to meet un-
17 foreseen emergencies of a confidential character, to be ex-
18 pended under the direction of, and to be accounted for
19 solely under the certificate of, the Attorney General; ex-
20 penses for conducting drug education and training pro-
21 grams, including travel and related expenses for partici-
22 pants in such programs and the distribution of items of
23 token value that promote the goals of such programs; pur-
24 chase of not to exceed 1,208 passenger motor vehicles, of
25 which 1,178 will be for replacement only, for police-type
26 use without regard to the general purchase price limitation

1 for the current fiscal year; and acquisition, lease, mainte-
2 nance, and operation of aircraft; \$745,668,000, of which
3 not to exceed \$1,800,000 for research and \$15,000,000
4 for transfer to the Drug Diversion Control Fee Account
5 for operating expenses shall remain available until ex-
6 pended, and of which not to exceed \$4,000,000 for pur-
7 chase of evidence and payments for information, not to
8 exceed \$4,000,000 for contracting for ADP and tele-
9 communications equipment, and not to exceed \$2,000,000
10 for technical and laboratory equipment shall remain avail-
11 able until September 30, 1997, and of which not to exceed
12 \$50,000 shall be available for official reception and rep-
13 resentation expenses.

14 VIOLENT CRIME REDUCTION PROGRAMS

15 For activities authorized by sections 180104 and
16 190001(b) of Public Law 103-322, \$60,000,000, to re-
17 main available until expended, which shall be derived from
18 the Violent Crime Reduction Trust Fund.

19 IMMIGRATION AND NATURALIZATION SERVICE

20 SALARIES AND EXPENSES

21 For expenses, not otherwise provided for, necessary
22 for the administration and enforcement of the laws relat-
23 ing to immigration, naturalization, and alien registration,
24 including not to exceed \$50,000 to meet unforeseen emer-
25 gencies of a confidential character, to be expended under
26 the direction of, and to be accounted for solely under the

1 certificate of, the Attorney General; purchase for police-
2 type use (not to exceed 813 of which 177 are for replace-
3 ment only) without regard to the general purchase price
4 limitation for the current fiscal year, and hire of passenger
5 motor vehicles; acquisition, lease, maintenance and oper-
6 ation of aircraft; and research related to immigration en-
7 forcement; \$1,394,825,000, of which \$36,300,000 shall
8 remain available until September 30, 1997; of which
9 \$506,800,000 is available for the Border Patrol; of which
10 not to exceed \$400,000 for research shall remain available
11 until expended; and of which not to exceed \$10,000,000
12 shall be available for costs associated with the training
13 program for basic officer training: *Provided*, That none
14 of the funds available to the Immigration and Naturaliza-
15 tion Service shall be available for administrative expenses
16 to pay any employee overtime pay in an amount in excess
17 of \$25,000 during the calendar year beginning January
18 1, 1996: *Provided further*, That uniforms may be pur-
19 chased without regard to the general purchase price limi-
20 tation for the current fiscal year: *Provided further*, That
21 not to exceed \$5,000 shall be available for official recep-
22 tion and representation expenses: *Provided further*, That
23 the Attorney General may transfer to the Department of
24 Labor and the Social Security Administration not to ex-
25 ceed \$10,000,000 for programs to verify the immigration

1 status of persons seeking employment in the United
2 States: *Provided further*, That none of the funds provided
3 in this or any other Act shall be used for the continued
4 operation of the San Clemente and Temecula checkpoints
5 unless: (1) the checkpoints are open and traffic is being
6 checked on a continuous 24-hour basis and (2) the Immi-
7 gration and Naturalization Service undertakes a com-
8 muter lane facilitation pilot program at the San Clemente
9 checkpoint within 90 days of enactment of this Act: *Pro-*
10 *vided further*, That the Immigration and Naturalization
11 Service shall undertake the renovation and improvement
12 of the San Clemente checkpoint, to include the addition
13 of two to four lanes, and which shall be exempt from Fed-
14 eral procurement regulations for contract formation, from
15 within existing balances in the Immigration and Natu-
16 ralization Service Construction account: *Provided further*,
17 That if renovation of the San Clemente checkpoint is not
18 completed by July 1, 1996, the San Clemente checkpoint
19 will close until such time as the renovations and improve-
20 ments are completed unless funds for the continued oper-
21 ation of the checkpoint are provided and made available
22 for obligation and expenditure in accordance with proce-
23 dures set forth in section 605 of this Act, as the result
24 of certification by the Attorney General that exigent cir-
25 cumstances require the checkpoint to be open and delays

1 in completion of the renovations are not the result of any
2 actions that are or have been in the control of the Depart-
3 ment of Justice: *Provided further*, That the Office of Pub-
4 lic Affairs at the Immigration and Naturalization Service
5 shall conduct its business in areas only relating to its
6 central mission, including: research, analysis, and dissemi-
7 nation of information, through the media and other com-
8 munications outlets, relating to the activities of the Immi-
9 gration and Naturalization Service: *Provided further*, That
10 the Office of Congressional Relations at the Immigration
11 and Naturalization Service shall conduct business in areas
12 only relating to its central mission, including: providing
13 services to Members of Congress relating to constituent
14 inquiries and requests for information; and working with
15 the relevant congressional committees on proposed legisla-
16 tion affecting immigration matters: *Provided further*, That
17 in addition to amounts otherwise made available in this
18 title to the Attorney General, the Attorney General is au-
19 thorized to accept and utilize, on behalf of the United
20 States, the \$100,000 Innovation in American Government
21 Award for 1995 from the Ford Foundation for the Immi-
22 gration and Naturalization Service's Operation Jobs pro-
23 gram.

24 VIOLENT CRIME REDUCTION PROGRAMS

25 For activities authorized by sections 130005,
26 130006, and 130007 of Public Law 103-322,

1 \$316,198,000, to remain available until expended, which
2 will be derived from the Violent Crime Reduction Trust
3 Fund, of which \$38,704,000 shall be for expeditious de-
4 portation of denied asylum applicants, \$231,570,000 for
5 improving border controls, and \$45,924,000 for expanded
6 special deportation proceedings: *Provided*, That of the
7 amounts made available, \$75,765,000 shall be for the Bor-
8 der Patrol.

9 CONSTRUCTION

10 For planning, construction, renovation, equipping
11 and maintenance of buildings and facilities necessary for
12 the administration and enforcement of the laws relating
13 to immigration, naturalization, and alien registration, not
14 otherwise provided for, \$25,000,000, to remain available
15 until expended.

16 FEDERAL PRISON SYSTEM

17 SALARIES AND EXPENSES

18 For expenses necessary for the administration, oper-
19 ation, and maintenance of Federal penal and correctional
20 institutions, including purchase (not to exceed 853, of
21 which 559 are for replacement only) and hire of law en-
22 forcement and passenger motor vehicles; and for the provi-
23 sion of technical assistance and advice on corrections re-
24 lated issues to foreign governments; \$2,567,578,000: *Pro-*
25 *vided*, That there may be transferred to the Health Re-
26 sources and Services Administration such amounts as may

1 be necessary, in the discretion of the Attorney General,
2 for direct expenditures by that Administration for medical
3 relief for inmates of Federal penal and correctional insti-
4 tutions: *Provided further*, That the Director of the Federal
5 Prison System (FPS), where necessary, may enter into
6 contracts with a fiscal agent/fiscal intermediary claims
7 processor to determine the amounts payable to persons
8 who, on behalf of the FPS, furnish health services to indi-
9 viduals committed to the custody of the FPS: *Provided*
10 *further*, That uniforms may be purchased without regard
11 to the general purchase price limitation for the current
12 fiscal year: *Provided further*, That not to exceed \$6,000
13 shall be available for official reception and representation
14 expenses: *Provided further*, That not to exceed
15 \$50,000,000 for the activation of new facilities shall re-
16 main available until September 30, 1997: *Provided further*,
17 That of the amounts provided for Contract Confinement,
18 not to exceed \$20,000,000 shall remain available until ex-
19 pended to make payments in advance for grants, contracts
20 and reimbursable agreements and other expenses author-
21 ized by section 501(c) of the Refugee Education Assist-
22 ance Act of 1980 for the care and security in the United
23 States of Cuban and Haitian entrants: *Provided further*,
24 That no funds appropriated in this Act shall be used to
25 privatize any Federal prison facilities located in Forrest

1 City, Arkansas, and Yazoo City, Mississippi: *Provided fur-*
2 *ther*, That obligations incurred for the National Institute
3 of Corrections through March 15, 1996 shall be charged
4 to the amount made available under this heading.

5 VIOLENT CRIME REDUCTION PROGRAMS

6 For substance abuse treatment in Federal prisons as
7 authorized by section 32001(e) of Public Law 103-322,
8 \$13,500,000, to remain available until expended, which
9 shall be derived from the Violent Crime Reduction Trust
10 Fund.

11 BUILDINGS AND FACILITIES

12 For planning, acquisition of sites and construction of
13 new facilities; leasing the Oklahoma City Airport Trust
14 Facility; purchase and acquisition of facilities and remodel-
15 ing and equipping of such facilities for penal and correc-
16 tional use, including all necessary expenses incident there-
17 to, by contract or force account; and constructing, remodel-
18 ing, and equipping necessary buildings and facilities at
19 existing penal and correctional institutions, including all
20 necessary expenses incident thereto, by contract or force
21 account; \$334,728,000, to remain available until ex-
22 pended, of which not to exceed \$14,074,000 shall be avail-
23 able to construct areas for inmate work programs: *Pro-*
24 *vided*, That labor of United States prisoners may be used
25 for work performed under this appropriation: *Provided*
26 *further*, That not to exceed 10 percent of the funds appro-

1 priated to “Buildings and Facilities” in this Act or any
2 other Act may be transferred to “Salaries and Expenses”,
3 Federal Prison System upon notification by the Attorney
4 General to the Committees on Appropriations of the
5 House of Representatives and the Senate in compliance
6 with provisions set forth in section 605 of this Act: *Pro-*
7 *vided further*, That of the total amount appropriated, not
8 to exceed \$22,351,000 shall be available for the renovation
9 and construction of United States Marshals Service pris-
10 oner holding facilities.

11 FEDERAL PRISON INDUSTRIES, INCORPORATED

12 The Federal Prison Industries, Incorporated, is here-
13 by authorized to make such expenditures, within the limits
14 of funds and borrowing authority available, and in accord
15 with the law, and to make such contracts and commit-
16 ments, without regard to fiscal year limitations as pro-
17 vided by section 9104 of title 31, United States Code, as
18 may be necessary in carrying out the program set forth
19 in the budget for the current fiscal year for such corpora-
20 tion, including purchase of (not to exceed five for replace-
21 ment only) and hire of passenger motor vehicles.

22 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
23 PRISON INDUSTRIES, INCORPORATED

24 Not to exceed \$3,559,000 of the funds of the corpora-
25 tion shall be available for its administrative expenses, and
26 for services as authorized by 5 U.S.C. 3109, to be com-

1 puted on an accrual basis to be determined in accordance
2 with the corporation's current prescribed accounting sys-
3 tem, and such amounts shall be exclusive of depreciation,
4 payment of claims, and expenditures which the said ac-
5 counting system requires to be capitalized or charged to
6 cost of commodities acquired or produced, including sell-
7 ing and shipping expenses, and expenses in connection
8 with acquisition, construction, operation, maintenance, im-
9 provement, protection, or disposition of facilities and other
10 property belonging to the corporation or in which it has
11 an interest.

12 OFFICE OF JUSTICE PROGRAMS

13 JUSTICE ASSISTANCE

14 For grants, contracts, cooperative agreements, and
15 other assistance authorized by title I of the Omnibus
16 Crime Control and Safe Streets Act of 1968, as amended,
17 and the Missing Children's Assistance Act, as amended,
18 including salaries and expenses in connection therewith,
19 and with the Victims of Crime Act of 1984, as amended,
20 \$99,977,000, to remain available until expended, as au-
21 thorized by section 1001 of title I of the Omnibus Crime
22 Control and Safe Streets Act, as amended by Public Law
23 102-534 (106 Stat. 3524).

1 VIOLENT CRIME REDUCTION PROGRAMS, JUSTICE
2 ASSISTANCE

3 For assistance (including amounts for administrative
4 costs for management and administration, which amounts
5 shall be transferred to and merged with the “Justice As-
6 sistance” account) authorized by the Violent Crime Con-
7 trol and Law Enforcement Act of 1994, Public Law 103-
8 322 (“the 1994 Act”); the Omnibus Crime Control and
9 Safe Streets Act of 1968, as amended (“the 1968 Act”);
10 and the Victims of Child Abuse Act of 1990, as amended
11 (“the 1990 Act”); \$202,400,000, to remain available until
12 expended, which shall be derived from the Violent Crime
13 Reduction Trust Fund; of which \$6,000,000 shall be for
14 the Court Appointed Special Advocate Program, as au-
15 thorized by section 218 of the 1990 Act; \$750,000 for
16 Child Abuse Training Programs for Judicial Personnel
17 and Practitioners, as authorized by section 224 of the
18 1990 Act; \$130,000,000 for Grants to Combat Violence
19 Against Women to States, units of local governments and
20 Indian tribal governments, as authorized by section
21 1001(a)(18) of the 1968 Act; \$28,000,000 for Grants to
22 Encourage Arrest Policies to States, units of local govern-
23 ments and Indian tribal governments, as authorized by
24 section 1001(a)(19) of the 1968 Act; \$7,000,000 for
25 Rural Domestic Violence and Child Abuse Enforcement

1 Assistance Grants, as authorized by section 40295 of the
2 1994 Act; \$1,000,000 for training programs to assist pro-
3 bation and parole officers who work with released sex of-
4 fenders, as authorized by section 40152(c) of the Violent
5 Crime Control and Law Enforcement Act of 1994;
6 \$50,000 for grants for televised testimony, as authorized
7 by section 1001(a)(7) of the Omnibus Crime Control and
8 Safe Streets Act of 1968; \$200,000 for the study of State
9 databases on the incidence of sexual and domestic vio-
10 lence, as authorized by section 40292 of the Violent Crime
11 Control and Law Enforcement Act of 1994; \$1,500,000
12 for national stalker and domestic violence reduction, as
13 authorized by section 40603 of the 1994 Act; \$27,000,000
14 for grants for residential substance abuse treatment for
15 State prisoners authorized by section 1001(a)(17) of the
16 1968 Act; and \$900,000 for the Missing Alzheimer's Dis-
17 ease Patient Alert Program, as authorized by section
18 240001(d) of the 1994 Act: *Provided*, That any balances
19 for these programs shall be transferred to and merged
20 with this appropriation.

21 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

22 For grants, contracts, cooperative agreements, and
23 other assistance authorized by part E of title I of the Om-
24 nibus Crime Control and Safe Streets Act of 1968, as
25 amended, for State and Local Narcotics Control and Jus-
26 tice Assistance Improvements, notwithstanding the provi-

1 sions of section 511 of said Act, \$388,000,000, to remain
2 available until expended, as authorized by section 1001 of
3 title I of said Act, as amended by Public Law 102-534
4 (106 Stat. 3524), of which \$60,000,000 shall be available
5 to carry out the provisions of chapter A of subpart 2 of
6 part E of title I of said Act, for discretionary grants under
7 the Edward Byrne Memorial State and Local Law En-
8 forcement Assistance Programs: *Provided*, That balances
9 of amounts appropriated prior to fiscal year 1995 under
10 the authorities of this account shall be transferred to and
11 merged with this account.

12 VIOLENT CRIME REDUCTION PROGRAMS, STATE AND
13 LOCAL LAW ENFORCEMENT ASSISTANCE

14 For assistance (including amounts for administrative
15 costs for management and administration, which amounts
16 shall be transferred to and merged with the “Justice As-
17 sistance” account) authorized by the Violent Crime Con-
18 trol and Law Enforcement Act of 1994, Public Law 103-
19 322 (“the 1994 Act”); the Omnibus Crime Control and
20 Safe Streets Act of 1968, as amended (“the 1968 Act”);
21 and the Victims of Child Abuse Act of 1990, as amended
22 (“the 1990 Act”); \$3,005,200,000, to remain available
23 until expended, which shall be derived from the Violent
24 Crime Reduction Trust Fund; of which \$1,903,000,000
25 shall be for Local Law Enforcement Block Grants, pursu-
26 ant to H.R. 728 as passed by the House of Representa-

1 tives on February 14, 1995 for the purposes set forth in
2 paragraphs (A), (B), (D), (F), and (I) of section 101(a)(2)
3 of H.R. 728 and for establishing crime prevention pro-
4 grams involving cooperation between community residents
5 and law enforcement personnel in order to control, detect,
6 or investigate crime or the prosecution of criminals: *Pro-*
7 *vided*, That recipients are encouraged to use these funds
8 to hire additional law enforcement officers: *Provided fur-*
9 *ther*, That funds may also be used to defray the costs of
10 indemnification insurance for law enforcement officers:
11 *Provided further*, That \$10,000,000 of this amount shall
12 be available for educational expenses as set forth in section
13 200103 of the 1994 Act; \$25,000,000 for grants to up-
14 grade criminal records, as authorized by section 106(b)
15 of the Brady Handgun Violence Prevention Act of 1993,
16 as amended, and section 4(b) of the National Child Pro-
17 tection Act of 1993; \$147,000,000 as authorized by sec-
18 tion 1001 of title I of the 1968 Act, which shall be avail-
19 able to carry out the provisions of subpart 1, part E of
20 title I of the 1968 Act, notwithstanding section 511 of
21 said Act, for the Edward Byrne Memorial State and Local
22 Law Enforcement Assistance Programs; \$300,000,000 for
23 the State Criminal Alien Assistance Program, as author-
24 ized by section 242(j) of the Immigration and Nationality
25 Act, as amended; \$617,500,000 for Violent Offender In-

1 carceration and Truth in Sentencing Incentive Grants
2 pursuant to subtitle A of title II of the Violent Crime Con-
3 trol and Law Enforcement Act of 1994 (as amended by
4 section 114 of this Act), of which \$200,000,000 shall be
5 available for payments to States for incarceration of crimi-
6 nal aliens, and of which \$12,500,000 shall be available for
7 the Cooperative Agreement Program; \$1,000,000 for
8 grants to States and units of local government for projects
9 to improve DNA analysis, as authorized by section
10 1001(a)(22) of the 1968 Act; \$9,000,000 for Improved
11 Training and Technical Automation Grants, as authorized
12 by section 210501(c)(1) of the 1994 Act; \$1,000,000 for
13 Law Enforcement Family Support Programs, as author-
14 ized by section 1001(a)(21) of the 1968 Act; \$500,000
15 for Motor Vehicle Theft Prevention Programs, as author-
16 ized by section 220002(h) of the 1994 Act; \$1,000,000
17 for Gang Investigation Coordination and Information Col-
18 lection, as authorized by section 150006 of the 1994 Act;
19 \$200,000 for grants as authorized by section 32201(c)(3)
20 of the 1994 Act: *Provided further*, That funds made avail-
21 able in fiscal year 1996 under subpart 1 of part E of title
22 I of the Omnibus Crime Control and Safe Streets Act of
23 1968, as amended, may be obligated for programs to as-
24 sist States in the litigation processing of death penalty
25 Federal habeas corpus petitions: *Provided further*, That

1 any 1995 balances for these programs shall be transferred
2 to and merged with this appropriation: *Provided further*,
3 That if a unit of local government uses any of the funds
4 made available under this title to increase the number of
5 law enforcement officers, the unit of local government will
6 achieve a net gain in the number of law enforcement offi-
7 cers who perform nonadministrative public safety service:
8 *Provided further*, That obligations incurred for Drug
9 Courts through March 15, 1996 shall be charged to the
10 amount made available under this heading for Local Law
11 Enforcement Block Grants.

12 WEED AND SEED PROGRAM FUND

13 For necessary expenses, including salaries and relat-
14 ed expenses of the Executive Office for Weed and Seed,
15 to implement “Weed and Seed” program activities,
16 \$28,500,000, which shall be derived from discretionary
17 grants provided under the Edward Byrne Memorial State
18 and Local Law Enforcement Assistance Programs, to re-
19 main available until expended for intergovernmental
20 agreements, including grants, cooperative agreements, and
21 contracts, with State and local law enforcement agencies
22 engaged in the investigation and prosecution of violent
23 crimes and drug offenses in “Weed and Seed” designated
24 communities, and for either reimbursements or transfers
25 to appropriation accounts of the Department of Justice
26 and other Federal agencies which shall be specified by the

1 Attorney General to execute the “Weed and Seed” pro-
2 gram strategy: *Provided*, That funds designated by Con-
3 gress through language for other Department of Justice
4 appropriation accounts for “Weed and Seed” program ac-
5 tivities shall be managed and executed by the Attorney
6 General through the Executive Office for Weed and Seed:
7 *Provided further*, That the Attorney General may direct
8 the use of other Department of Justice funds and person-
9 nel in support of “Weed and Seed” program activities only
10 after the Attorney General notifies the Committees on Ap-
11 propriations of the House of Representatives and the Sen-
12 ate in accordance with section 605 of this Act.

13 JUVENILE JUSTICE PROGRAMS

14 For grants, contracts, cooperative agreements, and
15 other assistance authorized by the Juvenile Justice and
16 Delinquency Prevention Act of 1974, as amended, includ-
17 ing salaries and expenses in connection therewith to be
18 transferred to and merged with the appropriations for
19 Justice Assistance, \$144,000,000, to remain available
20 until expended, as authorized by section 299 of part I of
21 title II and section 506 of title V of the Act, as amended
22 by Public Law 102–586, of which: (1) \$100,000,000 shall
23 be available for expenses authorized by parts A, B, and
24 C of title II of the Act; (2) \$10,000,000 shall be available
25 for expenses authorized by sections 281 and 282 of part
26 D of title II of the Act for prevention and treatment pro-

1 grams relating to juvenile gangs; (3) \$10,000,000 shall
2 be available for expenses authorized by section 285 of part
3 E of title II of the Act; (4) \$4,000,000 shall be available
4 for expenses authorized by part G of title II of the Act
5 for juvenile mentoring programs; and (5) \$20,000,000
6 shall be available for expenses authorized by title V of the
7 Act for incentive grants for local delinquency prevention
8 programs.

9 In addition, for grants, contracts, cooperative agree-
10 ments, and other assistance authorized by the Victims of
11 Child Abuse Act of 1990, as amended, \$4,500,000, to re-
12 main available until expended, as authorized by section
13 214B, of the Act: *Provided*, That balances of amounts ap-
14 propriated prior to fiscal year 1995 under the authorities
15 of this account shall be transferred to and merged with
16 this account.

17 PUBLIC SAFETY OFFICERS BENEFITS

18 For payments authorized by part L of title I of the
19 Omnibus Crime Control and Safe Streets Act of 1968 (42
20 U.S.C. 3796), as amended, such sums as are necessary,
21 to remain available until expended, as authorized by sec-
22 tion 6093 of Public Law 100–690 (102 Stat. 4339–4340),
23 and, in addition, \$2,134,000, to remain available until ex-
24 pended, for payments as authorized by section 1201(b) of
25 said Act.

1 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

2 SEC. 114. (a) GRANT PROGRAM.—Subtitle A of title
3 II of the Violent Crime and Law Enforcement Act of 1994
4 is amended to read as follows:

5 **“Subtitle A—Violent Offender In-**
6 **carceration and Truth-in-Sen-**
7 **tencing Incentive Grants**

8 **“SEC. 20101. DEFINITIONS.**

9 “As used in this subtitle—

10 “(1) the term “indeterminate sentencing” means
11 a system by which—

12 “(A) the court may impose a sentence of
13 a range defined by statute; and

14 “(B) an administrative agency, generally
15 the parole board, or the court, controls release
16 within the statutory range;

17 “(2) the term ‘part 1 violent crime’ means mur-
18 der and nonnegligent manslaughter, forcible rape,
19 robbery, and aggravated assault as reported to the
20 Federal Bureau of Investigation for purposes of the
21 Uniform Crime Reports; and

22 “(3) the term ‘State’ means a State of the
23 United States, the District of Columbia, or any com-
24 monwealth, territory, or possession of the United
25 States.

1 **“SEC. 20102. AUTHORIZATION OF GRANTS.**

2 “(a) IN GENERAL.—The Attorney General shall pro-
3 vide grants to eligible States—

4 “(1) to build or expand correctional facilities to
5 increase the prison bed capacity for the confinement
6 of persons convicted of a part 1 violent crime or ad-
7 judicated delinquent for an act which if committed
8 by an adult, would a part 1 violent crime;

9 “(2) to build or expand temporary or perma-
10 nent correctional facilities, including facilities on
11 military bases, prison barges, and boot camps, for
12 the confinement of convicted nonviolent offenders
13 and criminal aliens, for the purpose of freeing suit-
14 able existing prison space for the confinement of
15 persons convicted of a part 1 violent crime; and

16 “(3) to build or expand jails.

17 “(b) REGIONAL COMPACTS.—

18 “(1) IN GENERAL.—Subject to paragraph (2),
19 States may enter into regional compacts to carry out
20 this subtitle. Such compacts shall be treated as
21 States under this subtitle.

22 “(2) REQUIREMENT.—To be recognized as a re-
23 gional compact for eligibility for a grant under sec-
24 tion 20103 or 20104, each member State must be
25 eligible individually.

1 “(3) LIMITATION ON RECEIPT OF FUNDS.—No
2 State may receive a grant under this subtitle both
3 individually and as part of a compact.

4 “(c) LIMITATIONS.—

5 “(1) Except as provided in paragraph (2), an
6 eligible State may receive either a general grant
7 under section 20103 or a truth-in-sentencing incen-
8 tive grant under section 20104.

9 “(2) EXCEPTION.—An eligible State may re-
10 ceive a grant under both sections 20103 and 20104
11 if the amount that such State is eligible to receive
12 under section 20103 in a year equals or exceeds the
13 amount that such State is eligible to receive under
14 section 20104 for that year.

15 “(d) APPLICABILITY.—Notwithstanding the eligi-
16 bility requirements of sections 20103 and 20104, a State
17 that certifies to the Attorney General that, as of the date
18 of enactment of the Department of Justice Appropriations
19 Act, 1996, such State has enacted legislation in reliance
20 on subtitle A of title II of the Violent Crime Control and
21 Law Enforcement Act, as enacted on September 13, 1994,
22 and would in fact qualify under those provisions, shall be
23 eligible to receive a grant for fiscal year 1996 as though
24 such State qualifies under sections 20103 or 20104 of this
25 subtitle.

1 **“SEC. 20103. GENERAL GRANTS.**

2 “(a) IN GENERAL.—To be eligible to receive a grant
3 under this section, a State shall submit an application to
4 the Attorney General that provides assurances that such
5 State has, since 1993—

6 “(1) increased the percentage of persons con-
7 victed of a part 1 violent crime sentenced to prison;

8 “(2) increased the average prison time actually
9 to be served in prison by persons convicted of a part
10 1 violent crime sentenced to prison; and

11 “(3) increased the average percentage of time
12 of the sentence to be actually served in prison by
13 persons convicted of a part 1 violent crime and sen-
14 tenced to prison.

15 “(b) INDETERMINATE SENTENCING EXCEPTION.—
16 Notwithstanding subsection (a), a State shall be eligible
17 for a grant under this section if such State submits an
18 application to the Attorney General that provides assur-
19 ances that the State on the date of the enactment of the
20 Departments of Commerce, Justice, and State, the Judici-
21 ary and Related Agencies Appropriations Act, 1996—

22 “(1) practices indeterminate sentencing with re-
23 gard to any part 1 violent crime; and

24 “(2) since 1993 the State has increased—

25 “(A) the percentage of persons convicted of
26 a part 1 violent crime sentenced to prison; and

1 “(B) the average time served in the State
2 for the offenses of murder, rape, and robbery
3 under the State’s sentencing and release guide-
4 lines for such offenses.

5 **“SEC. 20104. TRUTH-IN-SENTENCING INCENTIVE GRANTS.**

6 “(a) ELIGIBILITY.—To be eligible to receive a grant
7 under this section, a State shall submit an application to
8 the Attorney General that provides assurances that—

9 “(1) such State has implemented truth-in-sen-
10 tencing laws that require persons convicted of a part
11 1 violent crime to serve not less than 85 percent of
12 the sentence imposed (not counting time not actually
13 served, such as administrative or statutory incentives
14 for good behavior);

15 “(2) such State has truth-in-sentencing laws
16 that have been enacted, but not yet implemented,
17 that require such State, not later than 3 years after
18 such State submits an application to the Attorney
19 General, to provide that persons convicted of a part
20 1 violent crime serve not less than 85 percent of the
21 sentence imposed; or

22 “(3) if, in the case of a State that on the date
23 of enactment of the Departments of Commerce, Jus-
24 tice, and State, the Judiciary and Related Agencies
25 Appropriations Act, 1996, practices indeterminate

1 sentencing with regard to any part 1 violent crime,
2 such State demonstrates that the average time
3 served for part 1 violent crimes in the State equals
4 at least 85 percent of the sentences established for
5 such crimes under the State’s sentencing and release
6 guidelines (not counting time not actually served,
7 such as administrative or statutory incentives for
8 good behavior).

9 “(b) EXCEPTION.—Notwithstanding subsection (a), a
10 State may provide that the Governor of the State may
11 allow for the earlier release of—

12 “(1) a geriatric prisoner; or

13 “(2) a prisoner whose medical condition pre-
14 cludes the prisoner from posing a threat to the pub-
15 lic, but only after a public hearing in which rep-
16 resentatives of the public and the prisoner’s victims
17 have had an opportunity to be heard regarding a
18 proposed release.

19 **“SEC. 20105. SPECIAL RULES.**

20 “(a) SHARING OF FUNDS WITH COUNTIES AND
21 OTHER UNITS OF LOCAL GOVERNMENT.—

22 “(1) RESERVATION.—Each State shall reserve
23 not more than 15 percent of the amount of funds al-
24 located in a fiscal year pursuant to section 20106
25 for counties and units of local government to con-

1 struct, develop, expand, modify, or improve jails and
2 other correctional facilities.

3 “(2) FACTORS FOR DETERMINATION OF
4 AMOUNT.—To determine the amount of funds to be
5 reserved under this subsection, a State shall consider
6 the burden placed on a county or unit of local gov-
7 ernment that results from the implementation of
8 policies adopted by the State to carry out sections
9 20103 and 20104.

10 “(b) ADDITIONAL REQUIREMENT.—To be eligible to
11 receive a grant under section 20103 or 20104, a State
12 shall provide assurances to the Attorney General that the
13 State has implemented or will implement not later than
14 18 months after the date of the enactment of this subtitle
15 policies that provide for the recognition of the rights and
16 needs of crime victims.

17 “(c) FUNDS FOR JUVENILE OFFENDERS.—Notwith-
18 standing any other provision of this subtitle, if a State,
19 or unit of local government located in a State that other-
20 wise meets the requirements of sections 20103 or 20104,
21 certifies to the Attorney General that exigent cir-
22 cumstances exist that require the State to expend funds
23 to confine juvenile offenders, the State may use funds re-
24 ceived under this subtitle to build or expand juvenile cor-

1 rectional facilities or pretrial detention facilities for juve-
2 nile offenders.

3 “(d) PRIVATE FACILITIES.—A State may use funds
4 received under this subtitle for the privatization of facili-
5 ties to carry out the purposes of section 20102.

6 **“SEC. 20106. FORMULA FOR GRANTS.**

7 “In determining the amount of funds that may be
8 granted to each State eligible to receive a grant under sec-
9 tion 20103 or 20104, the Attorney General shall apply the
10 following formula:

11 “(1) MINIMUM AMOUNT FOR GRANTS UNDER
12 SECTION 20103.—Of the amount set aside for grants
13 for section 20103, 0.6 percent shall be allocated to
14 each eligible State, except that the United States
15 Virgin Islands, American Samoa, Guam, and the
16 Commonwealths of Puerto Rico and the Northern
17 Mariana Islands shall each be allocated 0.05 per-
18 cent.

19 “(2) MINIMUM AMOUNT FOR GRANTS UNDER
20 SECTION 20104.—Of the amount set aside for grants
21 for section 20104—

22 “(A) if less than 20 States are awarded
23 grants under section 20104, 2.5 percent of the
24 amounts paid shall be allocated to each eligible
25 State, except that the United States Virgin Is-

1 lands, American Samoa, Guam, and the Com-
2 monwealths of Puerto Rico and the Northern
3 Mariana Islands shall each be allocated 0.05
4 percent; and

5 “(B) if 20 or more States are awarded
6 grants under section 20104, 2.0 percent of the
7 amounts awarded shall be allocated to each eli-
8 gible State in a fiscal year for a grant under
9 section 20104, except that the United States
10 Virgin Islands, American Samoa, Guam, and
11 the Commonwealths of Puerto Rico and the
12 Northern Mariana Islands shall each be allo-
13 cated 0.04 percent.

14 “(3) ADDITIONAL AMOUNTS BASED ON NUMBER
15 OF PART 1 VIOLENT CRIMES.—

16 “(A) DISTRIBUTION OF REMAINING
17 AMOUNTS.—The amounts remaining after the
18 application of paragraph (1) or (2) shall be al-
19 located to each eligible State in the ratio that
20 the average annual number of part 1 violent
21 crimes reported by such State to the Federal
22 Bureau of Investigation for the 3 years preced-
23 ing the year in which the determination is made
24 bears to the average annual number of part 1
25 violent crimes reported by all such States to the

1 Federal Bureau of Investigation for the 3 years
2 preceding the year in which the determination
3 is made.

4 “(B) UNAVAILABLE DATA.—If data re-
5 garding part 1 violent crimes in any State is
6 unavailable for the 3 years preceding the year
7 in which the determination is made or substan-
8 tially inaccurate, the Attorney General shall uti-
9 lize the best available comparable data regard-
10 ing the number of violent crimes for the pre-
11 vious year for the State for the purposes of allo-
12 cation of funds under this subtitle.

13 “(4) REGIONAL COMPACTS.—In determining
14 the funds that States organized as a regional com-
15 pact may receive, the Attorney General shall first
16 apply the formula in either paragraph (1) or (2) and
17 (3) of this section to each member State of the com-
18 pact. The States organized as a regional compact
19 may receive the sum of the amounts so determined.

20 **“SEC. 20107. ACCOUNTABILITY.**

21 “(a) FISCAL REQUIREMENTS.—A State that receives
22 funds under this subtitle shall use accounting, audit, and
23 fiscal procedures that conform to guidelines prescribed by
24 the Attorney General, and shall ensure that any funds
25 used to carry out the programs under section 20102(a)

1 shall represent the best value for the State governments
2 at the lowest possible cost and employ the best available
3 technology.

4 “(b) ADMINISTRATIVE PROVISIONS.—The adminis-
5 trative provisions of sections 801 and 802 of the Omnibus
6 Crime Control and Safe Streets Act of 1968 shall apply
7 to the Attorney General under this subtitle in the same
8 manner that such provisions apply to the officials listed
9 in such sections.

10 **“SEC. 20108. AUTHORIZATION OF APPROPRIATIONS.**

11 “(a) IN GENERAL.—

12 “(1) AUTHORIZATIONS.—There are authorized
13 to be appropriated to carry out this subtitle—

14 “(A) \$997,500,000 for fiscal year 1996;

15 “(B) \$1,330,000,000 for fiscal year 1997;

16 “(C) \$2,527,999,000 for fiscal year 1998;

17 “(D) \$2,660,000,000 for fiscal year 1999;

18 and

19 “(E) \$2,753,100,000 for fiscal year 2000.

20 “(2) DISTRIBUTION.—

21 “(A) IN GENERAL.—Subject to section
22 20109, and except as provided in subparagraph
23 (B), of the amount appropriated pursuant to
24 paragraph (1)—

1 “(i) one-third of such amount shall be
2 allocated pursuant to section 20106 to eli-
3 gible states under section 20103; and

4 “(ii) two-thirds of such amount shall
5 be allocated pursuant to section 20106 to
6 eligible states under section 20104.

7 “(B) ADDITIONAL FUNDS.—Subject to sec-
8 tion 20109, if the amount appropriated pursu-
9 ant to paragraph (1) exceeds \$750,000,000—

10 “(i) half of such amount shall be allo-
11 cated pursuant to section 20106 to eligible
12 States under section 20103; and

13 “(ii) half of such amount shall be allo-
14 cated pursuant to section 20106 to eligible
15 States under section 20104.

16 “(b) LIMITATIONS ON FUNDS.—

17 “(1) USES OF FUNDS.—Except as provided in
18 section 20111, funds made available pursuant to this
19 section shall be used only to carry out the purposes
20 described in section 20102(a).

21 “(2) NONSUPPLANTING REQUIREMENT.—Funds
22 made available pursuant to this section shall not be
23 used to supplant State funds, but shall be used to
24 increase the amount of funds that would, in the ab-

1 sence of Federal funds, be made available from
2 State sources.

3 “(3) ADMINISTRATIVE COSTS.—Not more than
4 3 percent of the funds made available pursuant to
5 this section shall be used for administrative costs.

6 “(4) CARRYOVER OF APPROPRIATIONS.—Funds
7 appropriated pursuant to this section during any fis-
8 cal year shall remain available until expended.

9 “(5) MATCHING FUNDS.—The Federal share of
10 a grant received under this subtitle may not exceed
11 90 percent of the costs of a proposal as described in
12 an application approved under this subtitle.

13 **“SEC. 20109. PAYMENTS FOR INCARCERATION ON TRIBAL**
14 **LANDS.**

15 “(a) RESERVATION OF FUNDS.—Notwithstanding
16 any other provision of this subtitle, from amounts appro-
17 priated under section 20108 to carry out sections 20103
18 and 20104, the Attorney General shall reserve, to carry
19 out this section—

20 “(1) 0.3 percent in each of fiscal years 1996
21 and 1997; and

22 “(2) 0.2 percent in each of fiscal years 1998,
23 1999, and 2000.

24 “(b) GRANTS TO INDIAN TRIBES.—From the
25 amounts reserved under subsection (a), the Attorney Gen-

1 eral may make grants to Indian tribes for the purposes
2 of constructing jails on tribal lands for the incarceration
3 of offenders subject to tribal jurisdiction.

4 “(c) APPLICATIONS.—To be eligible to receive a grant
5 under this section, an Indian tribe shall submit to the At-
6 torney General an application in such form and containing
7 such information as the Attorney General may by regula-
8 tion require.

9 **“SEC. 20110. PAYMENTS TO ELIGIBLE STATES FOR INCAR-**
10 **CERATION OF CRIMINAL ALIENS.**

11 “(a) IN GENERAL.—The Attorney General shall
12 make a payment to each State which is eligible under sec-
13 tion 242(j) of the Immigration and Nationality Act and
14 which meets the eligibility requirements of section 20104,
15 in such amount as is determined under section 242(j) and
16 for which payment is not made to such State for such fis-
17 cal year under such section.

18 “(b) AUTHORIZATION OF APPROPRIATIONS.—Not-
19 withstanding any other provision of this subtitle, there are
20 authorized to be appropriated to carry out this section
21 from amounts authorized under section 20108, an amount
22 which when added to amounts appropriated to carry out
23 section 242(j) of the Immigration and Nationality Act for
24 fiscal year 1996 equals \$500,000,000 and for each of the

1 fiscal years 1997 through 2000 does not exceed
2 \$650,000,000.

3 “(c) REPORT TO CONGRESS.—Not later than May
4 15, 1999, the Attorney General shall submit a report to
5 the Congress which contains the recommendation of the
6 Attorney General concerning the extension of the program
7 under this section.

8 **“SEC. 20111. SUPPORT OF FEDERAL PRISONERS IN NON-**
9 **FEDERAL INSTITUTIONS.**

10 “(a) IN GENERAL.—The Attorney General may make
11 payments to States and units of local government for the
12 purposes authorized in section 4013 of title 18, United
13 States Code.

14 “(b) AUTHORIZATION OF APPROPRIATIONS.—Not-
15 withstanding any other provision of this subtitle, there are
16 authorized to be appropriated from amounts authorized
17 under section 20108 for each fiscal years 1996 through
18 2000 such sums as may be necessary to carry out this
19 section.

20 **“SEC. 20112. REPORT BY THE ATTORNEY GENERAL.**

21 “Beginning on July 1, 1996, and each July 1 there-
22 after, the Attorney General shall report to the Congress
23 on the implementation of this subtitle, including a report
24 on the eligibility of the States under sections 20103 and

1 20104, and the distribution and use of funds under this
2 subtitle.”.

3 (b) PREFERENCE IN PAYMENTS.—Section 242(j)(4)
4 of the Immigration and Nationality Act (8 U.S.C.
5 1252(j)(4)) is amended by adding at the end the following:

6 “(C) in carrying out paragraph (1)(A), the
7 Attorney General shall give preference in mak-
8 ing payments to States and political subdivi-
9 sions of States which are ineligible for pay-
10 ments under section 20110 of the Violent Crime
11 Control and Law Enforcement Act of 1994.”.

12 (c) CONFORMING AMENDMENTS.—

13 (1) OMNIBUS CRIME CONTROL AND SAFE
14 STREETS ACT OF 1968.—

15 (A) PART V.—Part V of title I of the Om-
16 nibus Crime Control and Safe Streets Act of
17 1968 is repealed.

18 (B) FUNDING.—

19 (i) Section 1001(a) of the Omnibus
20 Crime Control and Safe Streets Act of
21 1968 is amended by striking paragraph
22 (20).

23 (ii) Notwithstanding the provisions of
24 subparagraph (A), any funds that remain
25 available to an applicant under paragraph

1 (20) of title I of the Omnibus Crime Con-
2 trol and Safe Streets Act of 1968 shall be
3 used in accordance with part V of such Act
4 as if such Act was in effect on the day pre-
5 ceding the date of enactment of this Act.

6 (2) VIOLENT CRIME CONTROL AND LAW EN-
7 FORCEMENT ACT OF 1994.—

8 (A) TABLE OF CONTENTS.—The table of
9 contents of the Violent Crime Control and Law
10 Enforcement Act of 1994 is amended by strik-
11 ing the matter relating to title V.

12 (B) COMPLIANCE.—Notwithstanding the
13 provisions of paragraph (1), any funds that re-
14 main available to an applicant under title V of
15 the Violent Crime Control and Law Enforce-
16 ment Act of 1994 shall be used in accordance
17 with such subtitle as if such subtitle was in ef-
18 fect on the day preceding the date of enactment
19 of this Act.

20 (C) TRUTH-IN-SENTENCING.—The table of
21 contents of the Violent Crime Control and Law
22 Enforcement Act of 1994 is amended by strik-
23 ing the matter relating to subtitle A of title II
24 and inserting the following:

“SUBTITLE A—TRUTH-IN-SENTENCING GRANTS

“Sec. 20101. Definitions.

1 and services as authorized by 5 U.S.C. 3109, and not to
2 exceed \$2,500 for official reception and representation ex-
3 penses, \$40,000,000, to remain available until expended.

4 DEPARTMENT OF COMMERCE

5 INTERNATIONAL TRADE ADMINISTRATION

6 OPERATIONS AND ADMINISTRATION

7 For necessary expenses for international trade activi-
8 ties of the Department of Commerce provided for by law,
9 and engaging in trade promotional activities abroad, in-
10 cluding expenses of grants and cooperative agreements for
11 the purpose of promoting exports of United States firms,
12 without regard to 44 U.S.C. 3702 and 3703; full medical
13 coverage for dependent members of immediate families of
14 employees stationed overseas and employees temporarily
15 posted overseas; travel and transportation of employees of
16 the United States and Foreign Commercial Service be-
17 tween two points abroad, without regard to 49 U.S.C.
18 1517; employment of Americans and aliens by contract for
19 services; rental of space abroad for periods not exceeding
20 ten years, and expenses of alteration, repair, or improve-
21 ment; purchase or construction of temporary demountable
22 exhibition structures for use abroad; payment of tort
23 claims, in the manner authorized in the first paragraph
24 of 28 U.S.C. 2672 when such claims arise in foreign coun-
25 tries; not to exceed \$327,000 for official representation

1 expenses abroad; purchase of passenger motor vehicles for
2 official use abroad, not to exceed \$30,000 per vehicle; ob-
3 tain insurance on official motor vehicles; and rent tie lines
4 and teletype equipment; \$264,885,000, to remain avail-
5 able until expended: *Provided*, That the provisions of the
6 first sentence of section 105(f) and all of section 108(c)
7 of the Mutual Educational and Cultural Exchange Act of
8 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in car-
9 rying out these activities without regard to 15 U.S.C.
10 4912; and that for the purpose of this Act, contributions
11 under the provisions of the Mutual Educational and Cul-
12 tural Exchange Act shall include payment for assessments
13 for services provided as part of these activities.

14 EXPORT ADMINISTRATION

15 OPERATIONS AND ADMINISTRATION

16 For necessary expenses for export administration and
17 national security activities of the Department of Com-
18 merce, including costs associated with the performance of
19 export administration field activities both domestically and
20 abroad; full medical coverage for dependent members of
21 immediate families of employees stationed overseas; em-
22 ployment of Americans and aliens by contract for services
23 abroad; rental of space abroad for periods not exceeding
24 ten years, and expenses of alteration, repair, or improve-
25 ment; payment of tort claims, in the manner authorized

1 in the first paragraph of 28 U.S.C. 2672 when such claims
2 arise in foreign countries; not to exceed \$15,000 for offi-
3 cial representation expenses abroad; awards of compensa-
4 tion to informers under the Export Administration Act of
5 1979, and as authorized by 22 U.S.C. 401(b); purchase
6 of passenger motor vehicles for official use and motor vehi-
7 cles for law enforcement use with special requirement vehi-
8 cles eligible for purchase without regard to any price limi-
9 tation otherwise established by law; \$38,604,000, to re-
10 main available until expended: *Provided*, That the provi-
11 sions of the first sentence of section 105(f) and all of sec-
12 tion 108(c) of the Mutual Educational and Cultural Ex-
13 change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall
14 apply in carrying out these activities: *Provided further*,
15 That payments and contributions collected and accepted
16 for materials or services provided as part of such activities
17 may be retained for use in covering the cost of such activi-
18 ties, and for providing information to the public with re-
19 spect to the export administration and national security
20 activities of the Department of Commerce and other ex-
21 port control programs of the United States and other gov-
22 ernments.

1 ECONOMIC DEVELOPMENT ADMINISTRATION

2 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

3 For grants for economic development assistance as
4 provided by the Public Works and Economic Development
5 Act of 1965, as amended, Public Law 91–304, and such
6 laws that were in effect immediately before September 30,
7 1982, and for trade adjustment assistance, \$328,500,000:
8 *Provided*, That none of the funds appropriated or other-
9 wise made available under this heading may be used di-
10 rectly or indirectly for attorneys’ or consultants’ fees in
11 connection with securing grants and contracts made by
12 the Economic Development Administration: *Provided fur-*
13 *ther*, That, notwithstanding any other provision of law, the
14 Secretary of Commerce may provide financial assistance
15 for projects to be located on military installations closed
16 or scheduled for closure or realignment to grantees eligible
17 for assistance under the Public Works and Economic De-
18 velopment Act of 1965, as amended, without it being re-
19 quired that the grantee have title or ability to obtain a
20 lease for the property, for the useful life of the project,
21 when in the opinion of the Secretary of Commerce, such
22 financial assistance is necessary for the economic develop-
23 ment of the area: *Provided further*, That the Secretary of
24 Commerce may, as the Secretary considers appropriate,
25 consult with the Secretary of Defense regarding the title

1 to land on military installations closed or scheduled for
2 closure or realignment.

3 SALARIES AND EXPENSES

4 For necessary expenses of administering the eco-
5 nomic development assistance programs as provided for by
6 law, \$20,000,000: *Provided*, That these funds may be used
7 to monitor projects approved pursuant to title I of the
8 Public Works Employment Act of 1976, as amended, title
9 II of the Trade Act of 1974, as amended, and the Commu-
10 nity Emergency Drought Relief Act of 1977.

11 MINORITY BUSINESS DEVELOPMENT AGENCY

12 MINORITY BUSINESS DEVELOPMENT

13 For necessary expenses of the Department of Com-
14 merce in fostering, promoting, and developing minority
15 business enterprise, including expenses of grants, con-
16 tracts, and other agreements with public or private organi-
17 zations, \$32,000,000.

18 ECONOMIC AND INFORMATION INFRASTRUCTURE

19 ECONOMIC AND STATISTICAL ANALYSIS

20 SALARIES AND EXPENSES

21 For necessary expenses, as authorized by law, of eco-
22 nomic and statistical analysis programs of the Department
23 of Commerce, \$45,900,000, to remain available until Sep-
24 tember 30, 1997.

1 ECONOMICS AND STATISTICS ADMINISTRATION
2 REVOLVING FUND

3 The Secretary of Commerce is authorized to dissemi-
4 nate economic and statistical data products as authorized
5 by 15 U.S.C. 1525–1527 and, notwithstanding 15 U.S.C.
6 4912, charge fees necessary to recover the full costs in-
7 curred in their production. Notwithstanding 31 U.S.C.
8 3302, receipts received from these data dissemination ac-
9 tivities shall be credited to this account, to be available
10 for carrying out these purposes without further appropria-
11 tion.

12 BUREAU OF THE CENSUS
13 SALARIES AND EXPENSES

14 For expenses necessary for collecting, compiling, ana-
15 lyzing, preparing, and publishing statistics, provided for
16 by law, \$133,812,000.

17 PERIODIC CENSUSES AND PROGRAMS

18 For expenses necessary to collect and publish statis-
19 tics for periodic censuses and programs provided for by
20 law, \$150,300,000, to remain available until expended.

21 NATIONAL TELECOMMUNICATIONS AND INFORMATION
22 ADMINISTRATION
23 SALARIES AND EXPENSES

24 For necessary expenses, as provided for by law, of
25 the National Telecommunications and Information Ad-

1 ministration, \$17,000,000, to remain available until ex-
2 pended: *Provided*, That notwithstanding 31 U.S.C.
3 1535(d), the Secretary of Commerce is authorized to re-
4 tain and use as offsetting collections all funds transferred,
5 or previously transferred, from other Government agencies
6 for spectrum management, analysis, and operations and
7 for all costs incurred in telecommunications research, en-
8 gineering, and related activities by the Institute for Tele-
9 communication Sciences of the NTIA in furtherance of its
10 assigned functions under this paragraph and such funds
11 received from other Government agencies shall remain
12 available until expended.

13 PUBLIC BROADCASTING FACILITIES, PLANNING AND
14 CONSTRUCTION

15 For grants authorized by section 392 of the Commu-
16 nications Act of 1934, as amended, \$15,500,000, to re-
17 main available until expended as authorized by section 391
18 of the Act, as amended: *Provided*, That not to exceed
19 \$2,200,000 shall be available for program administration
20 as authorized by section 391 of the Act: *Provided further*,
21 That notwithstanding the provisions of section 391 of the
22 Act, the prior year unobligated balances may be made
23 available for grants for projects for which applications
24 have been submitted and approved during any fiscal year.

1 INFORMATION INFRASTRUCTURE GRANTS

2 For grants authorized by section 392 of the Commu-
3 nications Act of 1934, as amended, \$21,500,000, to re-
4 main available until expended as authorized by section 391
5 of the Act, as amended: *Provided*, That not to exceed
6 \$3,000,000 shall be available for program administration
7 and other support activities as authorized by section 391
8 of the Act including support of the Advisory Council on
9 National Information Infrastructure: *Provided further*,
10 That of the funds appropriated herein, not to exceed 5
11 percent may be available for telecommunications research
12 activities for projects related directly to the development
13 of a national information infrastructure: *Provided further*,
14 That notwithstanding the requirements of section 392(a)
15 and 392(c) of the Act, these funds may be used for the
16 planning and construction of telecommunications networks
17 for the provision of educational, cultural, health care, pub-
18 lic information, public safety or other social services.

19 PATENT AND TRADEMARK OFFICE

20 SALARIES AND EXPENSES

21 For necessary expenses of the Patent and Trademark
22 Office provided for by law, including defense of suits insti-
23 tuted against the Commissioner of Patents and Trade-
24 marks; \$82,324,000, to remain available until expended:
25 *Provided*, That the funds made available under this head-

1 ing are to be derived from deposits in the Patent and
2 Trademark Office Fee Surcharge Fund as authorized by
3 law: *Provided further*, That the amounts made available
4 under the Fund shall not exceed amounts deposited; and
5 such fees as shall be collected pursuant to 15 U.S.C. 1113
6 and 35 U.S.C. 41 and 376, shall remain available until
7 expended.

8 SCIENCE AND TECHNOLOGY

9 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

10 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

11 For necessary expenses of the National Institute of
12 Standards and Technology, \$259,000,000, to remain
13 available until expended, of which not to exceed
14 \$8,500,000 may be transferred to the “Working Capital
15 Fund”.

16 INDUSTRIAL TECHNOLOGY SERVICES

17 For necessary expenses of the Manufacturing Exten-
18 sion Partnership of the National Institute of Standards
19 and Technology, \$80,000,000, to remain available until
20 expended, of which not to exceed \$500,000 may be trans-
21 ferred to the “Working Capital Fund”: *Provided*, That
22 none of the funds made available under this heading in
23 this or any other Act may be used for the purposes of
24 carrying out additional program competitions under the
25 Advanced Technology Program: *Provided further*, That
26 any unobligated balances available from carryover of prior

1 year appropriations under the Advanced Technology Pro-
2 gram may be used only for the purposes of providing con-
3 tinuation grants.

4 CONSTRUCTION OF RESEARCH FACILITIES

5 For construction of new research facilities, including
6 architectural and engineering design, and for renovation
7 of existing facilities, not otherwise provided for the Na-
8 tional Institute of Standards and Technology, as author-
9 ized by 15 U.S.C. 278c–278e, \$60,000,000, to remain
10 available until expended.

11 NATIONAL OCEANIC AND ATMOSPHERIC

12 ADMINISTRATION

13 OPERATIONS, RESEARCH, AND FACILITIES

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses of activities authorized by law
16 for the National Oceanic and Atmospheric Administration,
17 including acquisition, maintenance, operation, and hire of
18 aircraft; not to exceed 358 commissioned officers on the
19 active list; grants, contracts, or other payments to non-
20 profit organizations for the purposes of conducting activi-
21 ties pursuant to cooperative agreements; and alteration,
22 modernization, and relocation of facilities as authorized by
23 33 U.S.C. 883i; \$1,795,677,000, to remain available until
24 expended: *Provided*, That notwithstanding 31 U.S.C. 3302
25 but consistent with other existing law, fees shall be as-
26 sessed, collected, and credited to this appropriation as off-

1 setting collections to be available until expended, to re-
2 cover the costs of administering aeronautical charting pro-
3 grams: *Provided further*, That the sum herein appro-
4 priated from the general fund shall be reduced as such
5 additional fees are received during fiscal year 1996, so as
6 to result in a final general fund appropriation estimated
7 at not more than \$1,792,677,000: *Provided further*, That
8 any such additional fees received in excess of \$3,000,000
9 in fiscal year 1996 shall not be available for obligation
10 until October 1, 1996: *Provided further*, That fees and do-
11 nations received by the National Ocean Service for the
12 management of the national marine sanctuaries may be
13 retained and used for the salaries and expenses associated
14 with those activities, notwithstanding 31 U.S.C. 3302:
15 *Provided further*, That in addition, \$63,000,000 shall be
16 derived by transfer from the fund entitled “Promote and
17 Develop Fishery Products and Research Pertaining to
18 American Fisheries”: *Provided further*, That grants to
19 States pursuant to sections 306 and 306(a) of the Coastal
20 Zone Management Act, as amended, shall not exceed
21 \$2,000,000.

22 COASTAL ZONE MANAGEMENT FUND

23 Of amounts collected pursuant to 16 U.S.C. 1456a,
24 not to exceed \$7,800,000, for purposes set forth in 16
25 U.S.C. 1456a(b)(2)(A), 16 U.S.C. 1456a(b)(2)(B)(v), and
26 16 U.S.C. 1461(e).

1 CONSTRUCTION

2 For repair and modification of, and additions to, ex-
3 isting facilities and construction of new facilities, and for
4 facility planning and design and land acquisition not oth-
5 erwise provided for the National Oceanic and Atmospheric
6 Administration, \$50,000,000, to remain available until ex-
7 pended.

8 FLEET MODERNIZATION, SHIPBUILDING AND
9 CONVERSION

10 For expenses necessary for the repair, acquisition,
11 leasing, or conversion of vessels, including related equip-
12 ment to maintain and modernize the existing fleet and to
13 continue planning the modernization of the fleet, for the
14 National Oceanic and Atmospheric Administration,
15 \$8,000,000, to remain available until expended.

16 FISHING VESSEL AND GEAR DAMAGE COMPENSATION
17 FUND

18 For carrying out the provisions of section 3 of Public
19 Law 95–376, not to exceed \$1,032,000, to be derived from
20 receipts collected pursuant to 22 U.S.C. 1980 (b) and (f),
21 to remain available until expended.

22 FISHERMEN’S CONTINGENCY FUND

23 For carrying out the provisions of title IV of Public
24 Law 95–372, not to exceed \$999,000, to be derived from
25 receipts collected pursuant to that Act, to remain available
26 until expended.

1 FOREIGN FISHING OBSERVER FUND

2 For expenses necessary to carry out the provisions
3 of the Atlantic Tunas Convention Act of 1975, as amend-
4 ed (Public Law 96–339), the Magnuson Fishery Conserva-
5 tion and Management Act of 1976, as amended (Public
6 Law 100–627) and the American Fisheries Promotion Act
7 (Public Law 96–561), there are appropriated from the
8 fees imposed under the foreign fishery observer program
9 authorized by these Acts, not to exceed \$196,000, to re-
10 main available until expended.

11 FISHING VESSEL OBLIGATIONS GUARANTEES

12 For the cost, as defined in section 502 of the Federal
13 Credit Reform Act of 1990, of guaranteed loans author-
14 ized by the Merchant Marine Act of 1936, as amended,
15 \$250,000: *Provided*, That none of the funds made avail-
16 able under this heading may be used to guarantee loans
17 for any new fishing vessel that will increase the harvesting
18 capacity in any United States fishery.

19 TECHNOLOGY ADMINISTRATION

20 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF

21 TECHNOLOGY POLICY

22 SALARIES AND EXPENSES

23 For necessary expenses for the Under Secretary for
24 Technology/Office of Technology Policy, \$5,000,000.

1 GENERAL ADMINISTRATION

2 SALARIES AND EXPENSES

3 For expenses necessary for the general administra-
4 tion of the Department of Commerce provided for by law,
5 including not to exceed \$3,000 for official entertainment,
6 \$29,100,000.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
9 General in carrying out the provisions of the Inspector
10 General Act of 1978, as amended (5 U.S.C. App. 1–11
11 as amended by Public Law 100–504), \$19,849,000.

12 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

13 CONSTRUCTION OF RESEARCH FACILITIES

14 (RESCISSION)

15 Of the unobligated balances available under this
16 heading, \$75,000,000 are rescinded.

17 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

18 SEC. 201. During the current fiscal year, applicable
19 appropriations and funds made available to the Depart-
20 ment of Commerce by this Act shall be available for the
21 activities specified in the Act of October 26, 1949 (15
22 U.S.C. 1514), to the extent and in the manner prescribed
23 by the Act, and, notwithstanding 31 U.S.C. 3324, may
24 be used for advanced payments not otherwise authorized
25 only upon the certification of officials designated by the
26 Secretary that such payments are in the public interest.

1 SEC. 202. During the current fiscal year, appropria-
2 tions made available to the Department of Commerce by
3 this Act for salaries and expenses shall be available for
4 hire of passenger motor vehicles as authorized by 31
5 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
6 3109; and uniforms or allowances therefor, as authorized
7 by law (5 U.S.C. 5901–5902).

8 SEC. 203. None of the funds made available by this
9 Act may be used to support the hurricane reconnaissance
10 aircraft and activities that are under the control of the
11 United States Air Force or the United States Air Force
12 Reserve.

13 SEC. 204. None of the funds provided in this or any
14 previous Act, or hereinafter made available to the Depart-
15 ment of Commerce shall be available to reimburse the Un-
16 employment Trust Fund or any other fund or account of
17 the Treasury to pay for any expenses paid before October
18 1, 1992, as authorized by section 8501 of title 5, United
19 States Code, for services performed after April 20, 1990,
20 by individuals appointed to temporary positions within the
21 Bureau of the Census for purposes relating to the 1990
22 decennial census of population.

23 SEC. 205. Not to exceed 5 percent of any appropria-
24 tion made available for the current fiscal year for the De-
25 partment of Commerce in this Act may be transferred be-

1 tween such appropriations, but no such appropriation shall
2 be increased by more than 10 percent by any such trans-
3 fers: *Provided*, That any transfer pursuant to this section
4 shall be treated as a reprogramming of funds under sec-
5 tion 605 of this Act and shall not be available for obliga-
6 tion or expenditure except in compliance with the proce-
7 dures set forth in that section.

8 SEC. 206. (a) Should legislation be enacted to dis-
9 mantle or reorganize the Department of Commerce, the
10 Secretary of Commerce, no later than 90 days thereafter,
11 shall submit to the Committees on Appropriations of the
12 House and the Senate a plan for transferring funds pro-
13 vided in this Act to the appropriate successor organiza-
14 tions: *Provided*, That the plan shall include a proposal for
15 transferring or rescinding funds appropriated herein for
16 agencies or programs terminated under such legislation:
17 *Provided further*, That such plan shall be transmitted in
18 accordance with section 605 of this Act.

19 (b) The Secretary of Commerce or the appropriate
20 head of any successor organization(s) may use any avail-
21 able funds to carry out legislation dismantling or reor-
22 ganizing the Department of Commerce to cover the costs
23 of actions relating to the abolishment, reorganization or
24 transfer of functions and any related personnel action, in-
25 cluding voluntary separation incentives if authorized by

1 such legislation: *Provided*, That the authority to transfer
2 funds between appropriations accounts that may be nec-
3 essary to carry out this section is provided in addition to
4 authorities included under section 205 of this Act: *Pro-*
5 *vided further*, That use of funds to carry out this section
6 shall be treated as a reprogramming of funds under sec-
7 tion 605 of this Act and shall not be available for obliga-
8 tion or expenditure except in compliance with the proce-
9 dures set forth in that section.

10 SEC. 207. Notwithstanding any other provision of law
11 (including any regulation and including the Public Works
12 and Economic Development Act of 1965), the transfer of
13 title to the Rutland City Industrial Complex to Hilinex,
14 Vermont (as related to Economic Development Adminis-
15 tration Project Number 01–11–01742) shall not require
16 compensation to the Federal Government for the fair
17 share of the Federal Government of that real property.

18 SEC. 208. (a) IN GENERAL.—The Secretary of Com-
19 merce, acting through the Assistant Secretary for Eco-
20 nomic Development of the Department of Commerce,
21 shall—

22 (1) not later than January 1, 1996, commence
23 the demolition of the structures on, and the cleanup
24 and environmental remediation on, the parcel of land
25 described in subsection (b);

1 (2) not later than March 31, 1996, complete
2 the demolition, cleanup, and environmental remedi-
3 ation under paragraph (1); and

4 (3) not later than April 1, 1996, convey the
5 parcel of land described in subsection (b), in accord-
6 ance with the requirements of section 120(h) of the
7 Comprehensive Environmental Response, Compensa-
8 tion, and Liability Act of 1980 (42 U.S.C. 9620(h)),
9 to the Tuscaloosa County Industrial Development
10 Authority, on receipt of payment of the fair market
11 value for the parcel by the Authority, as agreed on
12 by the Secretary and the Authority.

13 (b) LAND PARCEL.—The parcel of land referred to
14 in subsection (a) is the parcel of land consisting of ap-
15 proximately 41 acres in Holt, Alabama (in Tuscaloosa
16 County), that is generally known as the “Central Foundry
17 Property”, as depicted on a map, and as described in a
18 legal description, that the Secretary, acting through the
19 Assistant Secretary for Economic Development, deter-
20 mines to be satisfactory.

21 SEC. 209. Any costs incurred by a Department or
22 agency funded under this title resulting from personnel
23 actions taken in response to funding reductions included
24 in this title shall be absorbed within the total budgetary
25 resources available to such Department or agency: *Pro-*

1 *vided*, That the authority to transfer funds between appro-
2 priations accounts as may be necessary to carry out this
3 provision is provided in addition to authorities included
4 elsewhere in this Act: *Provided further*, That use of funds
5 to carry out this section shall be treated as a
6 reprogramming of funds under section 605 of this Act and
7 shall not be available for obligation or expenditure except
8 in compliance with the procedures set forth in that section.

9 SEC. 210. None of the funds appropriated under this
10 Act may be used to develop new fishery management plans
11 or amendments which create new individual transferable
12 quota programs, or to implement any such plans or
13 amendments approved by a Regional Fishery Management
14 Council or the Secretary of Commerce after January 4,
15 1995, until offsetting fees to pay for the cost of admin-
16 istering such plans or amendments are expressly author-
17 ized under the Magnuson Fishery Conservation and Man-
18 agement Act (16 U.S.C. 1801 et seq.).

19 This title may be cited as the “Department of Com-
20 merce and Related Agencies Appropriations Act, 1996”.

21 TITLE III—THE JUDICIARY

22 SUPREME COURT OF THE UNITED STATES

23 SALARIES AND EXPENSES

24 For expenses necessary for the operation of the Su-
25 preme Court, as required by law, excluding care of the

1 building and grounds, including purchase or hire, driving,
2 maintenance and operation of an automobile for the Chief
3 Justice, not to exceed \$10,000 for the purpose of trans-
4 porting Associate Justices, and hire of passenger motor
5 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
6 to exceed \$10,000 for official reception and representation
7 expenses; and for miscellaneous expenses, to be expended
8 as the Chief Justice may approve, \$25,834,000.

9 CARE OF THE BUILDING AND GROUNDS

10 For such expenditures as may be necessary to enable
11 the Architect of the Capitol to carry out the duties im-
12 posed upon him by the Act approved May 7, 1934 (40
13 U.S.C. 13a–13b), \$3,313,000, of which \$500,000 shall re-
14 main available until expended.

15 UNITED STATES COURT OF APPEALS FOR THE FEDERAL

16 CIRCUIT

17 SALARIES AND EXPENSES

18 For salaries of the chief judge, judges, and other offi-
19 cers and employees, and for necessary expenses of the
20 court, as authorized by law, \$14,288,000.

21 UNITED STATES COURT OF INTERNATIONAL TRADE

22 SALARIES AND EXPENSES

23 For salaries of the chief judge and eight judges, sala-
24 ries of the officers and employees of the court, services
25 as authorized by 5 U.S.C. 3109, and necessary expenses
26 of the court, as authorized by law, \$10,859,000.

1 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
2 JUDICIAL SERVICES
3 SALARIES AND EXPENSES

4 For the salaries of circuit and district judges (includ-
5 ing judges of the territorial courts of the United States),
6 justices and judges retired from office or from regular ac-
7 tive service, judges of the United States Court of Federal
8 Claims, bankruptcy judges, magistrate judges, and all
9 other officers and employees of the Federal Judiciary not
10 otherwise specifically provided for, and necessary expenses
11 of the courts, as authorized by law, \$2,433,141,000 (in-
12 cluding the purchase of firearms and ammunition); of
13 which not to exceed \$13,454,000 shall remain available
14 until expended for space alteration projects; of which not
15 to exceed \$10,000,000 shall remain available until ex-
16 pended for furniture and furnishings related to new space
17 alteration and construction projects; and of which
18 \$500,000 is to remain available until expended for acquisi-
19 tion of books, periodicals, and newspapers, and all other
20 legal reference materials, including subscriptions.

21 In addition, for expenses of the United States Court
22 of Federal Claims associated with processing cases under
23 the National Childhood Vaccine Injury Act of 1986, not
24 to exceed \$2,318,000, to be appropriated from the Vaccine
25 Injury Compensation Trust Fund.

1 VIOLENT CRIME REDUCTION PROGRAMS

2 For activities of the Federal Judiciary as authorized
3 by law, \$30,000,000, to remain available until expended,
4 which shall be derived from the Violent Crime Reduction
5 Trust Fund, as authorized by section 190001(a) of Public
6 Law 103-322.

7 DEFENDER SERVICES

8 For the operation of Federal Public Defender and
9 Community Defender organizations, the compensation and
10 reimbursement of expenses of attorneys appointed to rep-
11 resent persons under the Criminal Justice Act of 1964,
12 as amended, the compensation and reimbursement of ex-
13 penses of persons furnishing investigative, expert and
14 other services under the Criminal Justice Act (18 U.S.C.
15 3006A(e)), the compensation (in accordance with Criminal
16 Justice Act maximums) and reimbursement of expenses
17 of attorneys appointed to assist the court in criminal cases
18 where the defendant has waived representation by counsel,
19 the compensation and reimbursement of travel expenses
20 of guardians ad litem acting on behalf of financially eligi-
21 ble minor or incompetent offenders in connection with
22 transfers from the United States to foreign countries with
23 which the United States has a treaty for the execution
24 of penal sentences, and the compensation of attorneys ap-
25 pointed to represent jurors in civil actions for the protec-
26 tion of their employment, as authorized by 28 U.S.C.

1 1875(d), \$267,217,000, to remain available until ex-
2 pended as authorized by 18 U.S.C. 3006A(i): *Provided*,
3 That none of the funds provided in this Act shall be avail-
4 able for Death Penalty Resource Centers or Post-Convic-
5 tion Defender Organizations after April 1, 1996.

6 FEES OF JURORS AND COMMISSIONERS

7 For fees and expenses of jurors as authorized by 28
8 U.S.C. 1871 and 1876; compensation of jury commis-
9 sioners as authorized by 28 U.S.C. 1863; and compensa-
10 tion of commissioners appointed in condemnation cases
11 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
12 cedure (28 U.S.C. Appendix Rule 71A(h)); \$59,028,000,
13 to remain available until expended: *Provided*, That the
14 compensation of land commissioners shall not exceed the
15 daily equivalent of the highest rate payable under section
16 5332 of title 5, United States Code.

17 COURT SECURITY

18 For necessary expenses, not otherwise provided for,
19 incident to the procurement, installation, and maintenance
20 of security equipment and protective services for the Unit-
21 ed States Courts in courtrooms and adjacent areas, in-
22 cluding building ingress-egress control, inspection of pack-
23 ages, directed security patrols, and other similar activities
24 as authorized by section 1010 of the Judicial Improvement
25 and Access to Justice Act (Public Law 100-702);
26 \$102,000,000, to be expended directly or transferred to

1 the United States Marshals Service which shall be respon-
2 sible for administering elements of the Judicial Security
3 Program consistent with standards or guidelines agreed
4 to by the Director of the Administrative Office of the Unit-
5 ed States Courts and the Attorney General.

6 ADMINISTRATIVE OFFICE OF THE UNITED STATES

7 COURTS

8 SALARIES AND EXPENSES

9 For necessary expenses of the Administrative Office
10 of the United States Courts as authorized by law, includ-
11 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
12 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
13 advertising and rent in the District of Columbia and else-
14 where, \$47,500,000, of which not to exceed \$7,500 is au-
15 thorized for official reception and representation expenses.

16 FEDERAL JUDICIAL CENTER

17 SALARIES AND EXPENSES

18 For necessary expenses of the Federal Judicial Cen-
19 ter, as authorized by Public Law 90-219, \$17,914,000;
20 of which \$1,800,000 shall remain available through Sep-
21 tember 30, 1997, to provide education and training to
22 Federal court personnel; and of which not to exceed
23 \$1,000 is authorized for official reception and representa-
24 tion expenses.

1 JUDICIAL RETIREMENT FUNDS

2 PAYMENT TO JUDICIARY TRUST FUNDS

3 For payment to the Judicial Officers' Retirement
4 Fund, as authorized by 28 U.S.C. 377(o), \$24,000,000,
5 to the Judicial Survivors' Annuities Fund, as authorized
6 by 28 U.S.C. 376(c), \$7,000,000, and to the United
7 States Court of Federal Claims Judges' Retirement Fund,
8 as authorized by 28 U.S.C. 178(l), \$1,900,000.

9 UNITED STATES SENTENCING COMMISSION

10 SALARIES AND EXPENSES

11 For the salaries and expenses necessary to carry out
12 the provisions of chapter 58 of title 28, United States
13 Code, \$8,500,000, of which not to exceed \$1,000 is au-
14 thorized for official reception and representation expenses.

15 GENERAL PROVISIONS—THE JUDICIARY

16 SEC. 301. Appropriations and authorizations made in
17 this title which are available for salaries and expenses shall
18 be available for services as authorized by 5 U.S.C. 3109.

19 SEC. 302. Appropriations made in this title shall be
20 available for salaries and expenses of the Special Court
21 established under the Regional Rail Reorganization Act of
22 1973, Public Law 93-236.

23 SEC. 303. Not to exceed 5 percent of any appropria-
24 tion made available for the current fiscal year for the Judi-
25 ciary in this Act may be transferred between such appro-

1 priations, but no such appropriation, except “Courts of
2 Appeals, District Courts, and other Judicial Services, De-
3 fender Services”, shall be increased by more than 10 per-
4 cent by any such transfers: *Provided*, That any transfer
5 pursuant to this section shall be treated as a
6 reprogramming of funds under section 605 of this Act and
7 shall not be available for obligation or expenditure except
8 in compliance with the procedures set forth in that section.

9 SEC. 304. Notwithstanding any other provision of
10 law, the salaries and expenses appropriation for district
11 courts, courts of appeals, and other judicial services shall
12 be available for official reception and representation ex-
13 penses of the Judicial Conference of the United States:
14 *Provided*, That such available funds shall not exceed
15 \$10,000 and shall be administered by the Director of the
16 Administrative Office of the United States Courts in his
17 capacity as Secretary of the Judicial Conference.

18 SEC. 305. Section 333 of title 28, United States
19 Code, is amended—

20 (1) in the first paragraph by striking “shall” the
21 first, second, and fourth place it appears and insert-
22 ing “may”; and

23 (2) in the second paragraph—

24 (A) by striking “shall” the first place it ap-
25 pears and inserting “may”; and

1 (B) by striking “, and unless excused by the
2 chief judge, shall remain throughout the con-
3 ference”.

4 This title may be cited as “The Judiciary Appropria-
5 tions Act, 1996”.

6 TITLE IV—DEPARTMENT OF STATE AND
7 RELATED AGENCIES

8 DEPARTMENT OF STATE

9 ADMINISTRATION OF FOREIGN AFFAIRS

10 DIPLOMATIC AND CONSULAR PROGRAMS

11 For necessary expenses of the Department of State
12 and the Foreign Service not otherwise provided for, includ-
13 ing expenses authorized by the State Department Basic
14 Authorities Act of 1956, as amended; representation to
15 certain international organizations in which the United
16 States participates pursuant to treaties, ratified pursuant
17 to the advice and consent of the Senate, or specific Acts
18 of Congress; acquisition by exchange or purchase of pas-
19 senger motor vehicles as authorized by 31 U.S.C. 1343,
20 40 U.S.C. 481(c) and 22 U.S.C. 2674; and for expenses
21 of general administration, \$1,708,800,000: *Provided*, That
22 notwithstanding section 140(a)(5), and the second sen-
23 tence of section 140(a)(3) of the Foreign Relations Au-
24 thorization Act, Fiscal Years 1994 and 1995 (Public Law
25 103–236), not to exceed \$125,000,000 of fees may be col-

1 lected during fiscal year 1996 under the authority of sec-
2 tion 140(a)(1) of that Act: *Provided further*, That all fees
3 collected under the preceding proviso shall be deposited
4 in fiscal year 1996 as an offsetting collection to appropria-
5 tions made under this heading to recover the costs of pro-
6 viding consular services and shall remain available until
7 expended: *Provided further*, That starting in fiscal year
8 1997, a system shall be in place that allocates to each
9 department and agency the full cost of its presence outside
10 of the United States.

11 Of the funds provided under this heading,
12 \$24,856,000 shall be available only for the Diplomatic
13 Telecommunications Service for operation of existing base
14 services and not to exceed \$17,144,000 shall be available
15 only for the enhancement of the Diplomatic Telecommuni-
16 cations Service and shall remain available until expended.
17 Of the latter amount, \$9,600,000 shall not be made avail-
18 able until expiration of the 15 day period beginning on
19 the date when the Secretary of State and the Director of
20 the Diplomatic Telecommunications Service submit the
21 pilot program report required by section 507 of Public
22 Law 103-317.

23 In addition, not to exceed \$700,000 in registration
24 fees collected pursuant to section 38 of the Arms Export
25 Control Act, as amended, may be used in accordance with

1 section 45 of the State Department Basic Authorities Act
2 of 1956, 22 U.S.C. 2717; and in addition not to exceed
3 \$1,223,000 shall be derived from fees from other executive
4 agencies for lease or use of facilities located at the Inter-
5 national Center in accordance with section 4 of the Inter-
6 national Center Act (Public Law 90-553, as amended by
7 section 120 of Public Law 101-246); and in addition not
8 to exceed \$15,000 which shall be derived from reimburse-
9 ments, surcharges, and fees for use of Blair House facili-
10 ties in accordance with section 46 of the State of Depart-
11 ment Basic Authorities Act of 1956 (22 U.S.C. 2718(a)).

12 Notwithstanding section 402 of this Act, not to ex-
13 ceed 20 percent of the amounts made available in this Act
14 in the appropriation accounts, “Diplomatic and Consular
15 Programs” and “Salaries and Expenses” under the head-
16 ing “Administration of Foreign Affairs” may be trans-
17 ferred between such appropriation accounts: *Provided*,
18 That any transfer pursuant to this section shall be treated
19 as a reprogramming of funds under section 605 of this
20 Act and shall not be available for obligation or expenditure
21 except in compliance with the procedures set forth in that
22 section.

23 For an additional amount for security enhancements
24 to counter the threat of terrorism, \$9,720,000, to remain
25 available until expended.

1 SALARIES AND EXPENSES

2 For expenses necessary for the general administra-
3 tion of the Department of State and the Foreign Service,
4 provided for by law, including expenses authorized by sec-
5 tion 9 of the Act of August 31, 1964, as amended (31
6 U.S.C. 3721), and the State Department Basic Authori-
7 ties Act of 1956, as amended, \$363,276,000.

8 For an additional amount for security enhancements
9 to counter the threat of terrorism, \$1,870,000, to remain
10 available until expended.

11 CAPITAL INVESTMENT FUND

12 For necessary expenses of the Capital Investment
13 Fund, \$16,400,000, to remain available until expended,
14 as authorized in Public Law 103–236: *Provided*, That sec-
15 tion 135(e) of Public Law 103–236 shall not apply to
16 funds appropriated under this heading.

17 OFFICE OF INSPECTOR GENERAL

18 For necessary expenses of the Office of Inspector
19 General in carrying out the provisions of the Inspector
20 General Act of 1978, as amended (5 U.S.C. App.),
21 \$27,369,000, notwithstanding section 209(a)(1) of the
22 Foreign Service Act of 1980 (Public Law 96–465), as it
23 relates to post inspections: *Provided*, That notwithstand-
24 ing any other provision of law, (1) the Office of the Inspec-
25 tor General of the United States Information Agency is
26 hereby merged with the Office of the Inspector General

1 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
2 DISABILITY FUND

3 For payment to the Foreign Service Retirement and
4 Disability Fund, as authorized by law, \$125,402,000.

5 INTERNATIONAL ORGANIZATIONS AND CONFERENCES
6 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

7 For expenses, not otherwise provided for, necessary
8 to meet annual obligations of membership in international
9 multilateral organizations, pursuant to treaties ratified
10 pursuant to the advice and consent of the Senate, conven-
11 tions or specific Acts of Congress, \$700,000,000: *Pro-*
12 *vided*, That any payment of arrearages shall be directed
13 toward special activities that are mutually agreed upon by
14 the United States and the respective international organi-
15 zation: *Provided further*, That 20 percent of the funds ap-
16 propriated in this paragraph for the assessed contribution
17 of the United States to the United Nations shall be with-
18 held from obligation and expenditure until a certification
19 is made under section 401(b) of Public Law 103–236 for
20 fiscal year 1996: *Provided further*, That certification under
21 section 401(b) of Public Law 103–236 for fiscal year 1996
22 may only be made if the Committees on Appropriations
23 and Foreign Relations of the Senate and the Committees
24 on Appropriations and International Relations of the
25 House of Representatives are notified of the steps taken,

1 and anticipated, to meet the requirements of section
2 401(b) of Public Law 103–236 at least 15 days in advance
3 of the proposed certification: *Provided further*, That none
4 of the funds appropriated in this paragraph shall be avail-
5 able for a United States contribution to an international
6 organization for the United States share of interest costs
7 made known to the United States Government by such
8 organization for loans incurred on or after October 1,
9 1984, through external borrowings.

10 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

11 ACTIVITIES

12 For necessary expenses to pay assessed and other ex-
13 penses of international peacekeeping activities directed to
14 the maintenance or restoration of international peace and
15 security, \$225,000,000: *Provided*, That none of the funds
16 made available under this Act shall be obligated or ex-
17 pended for any new or expanded United Nations peace-
18 keeping mission unless, at least fifteen days in advance
19 of voting for the new or expanded mission in the United
20 Nations Security Council (or in an emergency, as far in
21 advance as is practicable), (1) the Committees on Appro-
22 priations of the House of Representatives and the Senate
23 and other appropriate Committees of the Congress are no-
24 tified of the estimated cost and length of the mission, the
25 vital national interest that will be served, and the planned
26 exit strategy; and (2) a reprogramming of funds pursuant

1 to section 605 of this Act is submitted, and the procedures
2 therein followed, setting forth the source of funds that will
3 be used to pay for the cost of the new or expanded mission:
4 *Provided further*, That funds shall be available for peace-
5 keeping expenses only upon a certification by the Sec-
6 retary of State to the appropriate committees of the Con-
7 gress that American manufacturers and suppliers are
8 being given opportunities to provide equipment, services
9 and material for United Nations peacekeeping activities
10 equal to those being given to foreign manufacturers and
11 suppliers.

12 INTERNATIONAL CONFERENCES AND CONTINGENCIES

13 For necessary expenses authorized by section 5 of the
14 State Department Basic Authorities Act of 1956, in addi-
15 tion to funds otherwise available for these purposes, con-
16 tributions for the United States share of general expenses
17 of international organizations and conferences and rep-
18 resentation to such organizations and conferences as pro-
19 vided for by 22 U.S.C. 2656 and 2672 and personal serv-
20 ices without regard to civil service and classification laws
21 as authorized by 5 U.S.C. 5102, \$3,000,000, to remain
22 available until expended as authorized by 22 U.S.C.
23 2696(c), of which not to exceed \$200,000 may be ex-
24 pended for representation as authorized by 22 U.S.C.
25 4085.

1 INTERNATIONAL COMMISSIONS

2 For necessary expenses, not otherwise provided for,
3 to meet obligations of the United States arising under
4 treaties, or specific Acts of Congress, as follows:

5 INTERNATIONAL BOUNDARY AND WATER COMMISSION,
6 UNITED STATES AND MEXICO

7 For necessary expenses for the United States Section
8 of the International Boundary and Water Commission,
9 United States and Mexico, and to comply with laws appli-
10 cable to the United States Section, including not to exceed
11 \$6,000 for representation; as follows:

12 SALARIES AND EXPENSES

13 For salaries and expenses, not otherwise provided for,
14 \$12,058,000.

15 CONSTRUCTION

16 For detailed plan preparation and construction of au-
17 thorized projects, \$6,644,000, to remain available until ex-
18 pended as authorized by 22 U.S.C. 2696(c).

19 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

20 For necessary expenses, not otherwise provided for
21 the International Joint Commission and the International
22 Boundary Commission, United States and Canada, as au-
23 thorized by treaties between the United States and Can-
24 ada or Great Britain, and for the Border Environment
25 Cooperation Commission as authorized by Public Law
26 103–182; \$5,800,000, of which not to exceed \$9,000 shall

1 be available for representation expenses incurred by the
2 International Joint Commission.

3 INTERNATIONAL FISHERIES COMMISSIONS

4 For necessary expenses for international fisheries
5 commissions, not otherwise provided for, as authorized by
6 law, \$14,669,000: *Provided*, That the United States share
7 of such expenses may be advanced to the respective com-
8 missions, pursuant to 31 U.S.C. 3324.

9 OTHER

10 PAYMENT TO THE ASIA FOUNDATION

11 For a grant to the Asia Foundation, as authorized
12 by section 501 of Public Law 101-246, \$5,000,000, to
13 remain available until expended as authorized by 22
14 U.S.C. 2696(c).

15 RELATED AGENCIES

16 ARMS CONTROL AND DISARMAMENT AGENCY

17 ARMS CONTROL AND DISARMAMENT ACTIVITIES

18 For necessary expenses not otherwise provided, for
19 arms control, nonproliferation, and disarmament activi-
20 ties, \$32,700,000, of which not to exceed \$50,000 shall
21 be for official reception and representation expenses as au-
22 thorized by the Act of September 26, 1961, as amended
23 (22 U.S.C. 2551 et seq.).

1 UNITED STATES INFORMATION AGENCY
2 SALARIES AND EXPENSES

3 For expenses, not otherwise provided for, necessary
4 to enable the United States Information Agency, as au-
5 thorized by the Mutual Educational and Cultural Ex-
6 change Act of 1961, as amended (22 U.S.C. 2451 et seq.),
7 the United States Information and Educational Exchange
8 Act of 1948, as amended (22 U.S.C. 1431 et seq.) and
9 Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to
10 carry out international communication, educational and
11 cultural activities; and to carry out related activities au-
12 thorized by law, including employment, without regard to
13 civil service and classification laws, of persons on a tem-
14 porary basis (not to exceed \$700,000 of this appropria-
15 tion), as authorized by 22 U.S.C. 1471, and entertain-
16 ment, including official receptions, within the United
17 States, not to exceed \$25,000 as authorized by 22 U.S.C.
18 1474(3); \$445,645,000: *Provided*, That not to exceed
19 \$1,400,000 may be used for representation abroad as au-
20 thorized by 22 U.S.C. 1452 and 4085: *Provided further*,
21 That not to exceed \$7,615,000 to remain available until
22 expended, may be credited to this appropriation from fees
23 or other payments received from or in connection with
24 English teaching, library, motion pictures, and publication
25 programs as authorized by section 810 of the United

1 States Information and Educational Exchange Act of
2 1948, as amended: *Provided further*, That not to exceed
3 \$1,700,000 to remain available until expended may be
4 used to carry out projects involving security construction
5 and related improvements for agency facilities not phys-
6 ically located together with Department of State facilities
7 abroad.

8 TECHNOLOGY FUND

9 For expenses necessary to enable the United States
10 Information Agency to provide for the procurement of in-
11 formation technology improvements, as authorized by the
12 United States Information and Educational Exchange Act
13 of 1948, as amended (22 U.S.C. 1431 et seq.), the Mutual
14 Educational and Cultural Exchange Act of 1961, as
15 amended (22 U.S.C. 2451 et seq.), and Reorganization
16 Plan No. 2 of 1977 (91 Stat. 1636), \$5,050,000, to re-
17 main available until expended.

18 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

19 For expenses of educational and cultural exchange
20 programs, as authorized by the Mutual Educational and
21 Cultural Exchange Act of 1961, as amended (22 U.S.C.
22 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91
23 Stat. 1636), \$200,000,000, to remain available until ex-
24 pended as authorized by 22 U.S.C. 2455.

1 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST
2 FUND

3 For necessary expenses of Eisenhower Exchange Fel-
4 lowships, Incorporated, as authorized by sections 4 and
5 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
6 U.S.C. 5204–05), all interest and earnings accruing to the
7 Eisenhower Exchange Fellowship Program Trust Fund on
8 or before September 30, 1996, to remain available until
9 expended: *Provided*, That none of the funds appropriated
10 herein shall be used to pay any salary or other compensa-
11 tion, or to enter into any contract providing for the pay-
12 ment thereof, in excess of the rate authorized by 5 U.S.C.
13 5376; or for purposes which are not in accordance with
14 OMB Circulars A–110 (Uniform Administrative Require-
15 ments) and A–122 (Cost Principles for Non-profit Organi-
16 zations), including the restrictions on compensation for
17 personal services.

18 ISRAELI ARAB SCHOLARSHIP PROGRAM

19 For necessary expenses of the Israeli Arab Scholar-
20 ship Program as authorized by section 214 of the Foreign
21 Relations Authorization Act, Fiscal Years 1992 and 1993
22 (22 U.S.C. 2452), all interest and earnings accruing to
23 the Israeli Arab Scholarship Fund on or before September
24 30, 1996, to remain available until expended.

1 AMERICAN STUDIES COLLECTIONS ENDOWMENT FUND

2 For necessary expenses of American Studies Collec-
3 tions as authorized by section 235 of the Foreign Rela-
4 tions Authorization Act, Fiscal Years 1994 and 1995, all
5 interest and earnings accruing to the American Studies
6 Collections Endowment Fund on or before September 30,
7 1996, to remain available until expended.

8 INTERNATIONAL BROADCASTING OPERATIONS

9 For expenses necessary to enable the United States
10 Information Agency, as authorized by the United States
11 Information and Educational Exchange Act of 1948, as
12 amended, the United States International Broadcasting
13 Act of 1994, as amended, and Reorganization Plan No.
14 2 of 1977, to carry out international communication ac-
15 tivities; \$325,191,000, of which \$5,000,000 shall remain
16 available until expended, not to exceed \$16,000 may be
17 used for official receptions within the United States as au-
18 thorized by 22 U.S.C. 1474(3), not to exceed \$35,000 may
19 be used for representation abroad as authorized by 22
20 U.S.C. 1452 and 4085, and not to exceed \$39,000 may
21 be used for official reception and representation expenses
22 of Radio Free Europe/Radio Liberty; and in addition, not
23 to exceed \$250,000 from fees as authorized by section 810
24 of the United States Information and Educational Ex-
25 change Act of 1948, as amended, to remain available until
26 expended for carrying out authorized purposes; and in ad-

1 dition, notwithstanding any other provision of law, not to
2 exceed \$1,000,000 in monies received (including receipts
3 from advertising, if any) by or for the use of the United
4 States Information Agency from or in connection with
5 broadcasting resources owned by or on behalf of the Agen-
6 cy, to be available until expended for carrying out author-
7 ized purposes.

8 BROADCASTING TO CUBA

9 For expenses necessary to enable the United States
10 Information Agency to carry out the Radio Broadcasting
11 to Cuba Act, as amended, the Television Broadcasting to
12 Cuba Act, and the International Broadcasting Act of
13 1994, including the purchase, rent, construction, and im-
14 provement of facilities for radio and television trans-
15 mission and reception, and purchase and installation of
16 necessary equipment for radio and television transmission
17 and reception, \$24,809,000 to remain available until ex-
18 pended: *Provided*, That not later than April 1, 1996, the
19 headquarters of the Office of Cuba Broadcasting shall be
20 relocated from Washington, D.C. to south Florida, and
21 that any funds available under the headings “Inter-
22 national Broadcasting Operations”, “Broadcasting to
23 Cuba”, and “Radio Construction” may be available to
24 carry out this relocation.

1 RADIO CONSTRUCTION

2 For an additional amount for the purchase, rent, con-
3 struction, and improvement of facilities for radio trans-
4 mission and reception and purchase and installation of
5 necessary equipment for radio and television transmission
6 and reception as authorized by 22 U.S.C. 1471,
7 \$40,000,000, to remain available until expended as au-
8 thorized by 22 U.S.C. 1477b(a).

9 EAST-WEST CENTER

10 To enable the Director of the United States Informa-
11 tion Agency to provide for carrying out the provisions of
12 the Center for Cultural and Technical Interchange Be-
13 tween East and West Act of 1960 (22 U.S.C. 2054–2057),
14 by grant to the Center for Cultural and Technical Inter-
15 change Between East and West in the State of Hawaii,
16 \$11,750,000: *Provided*, That none of the funds appro-
17 priated herein shall be used to pay any salary, or enter
18 into any contract providing for the payment thereof, in
19 excess of the rate authorized by 5 U.S.C. 5376.

20 NORTH/SOUTH CENTER

21 To enable the Director of the United States Informa-
22 tion Agency to provide for carrying out the provisions of
23 the North/South Center Act of 1991 (22 U.S.C. 2075),
24 by grant to an educational institution in Florida known
25 as the North/South Center, \$2,000,000, to remain avail-
26 able until expended.

1 NATIONAL ENDOWMENT FOR DEMOCRACY

2 For grants made by the United States Information
3 Agency to the National Endowment for Democracy as au-
4 thorized by the National Endowment for Democracy Act,
5 \$30,000,000, to remain available until expended.

6 GENERAL PROVISIONS—DEPARTMENT OF STATE AND
7 RELATED AGENCIES

8 SEC. 401. Funds appropriated under this title shall
9 be available, except as otherwise provided, for allowances
10 and differentials as authorized by subchapter 59 of 5
11 U.S.C.; for services as authorized by 5 U.S.C. 3109; and
12 hire of passenger transportation pursuant to 31 U.S.C.
13 1343(b).

14 SEC. 402. Not to exceed 5 percent of any appropria-
15 tion made available for the current fiscal year for the De-
16 partment of State in this Act may be transferred between
17 such appropriations, but no such appropriation, except as
18 otherwise specifically provided, shall be increased by more
19 than 10 percent by any such transfers: *Provided*, That not
20 to exceed 5 percent of any appropriation made available
21 for the current fiscal year for the United States Informa-
22 tion Agency in this Act may be transferred between such
23 appropriations, but no such appropriation, except as oth-
24 erwise specifically provided, shall be increased by more
25 than 10 percent by any such transfers: *Provided further*,

1 That any transfer pursuant to this section shall be treated
2 as a reprogramming of funds under section 605 of this
3 Act and shall not be available for obligation or expenditure
4 except in compliance with the procedures set forth in that
5 section.

6 SEC. 403. Funds appropriated or otherwise made
7 available under this Act or any other Act may be expended
8 for compensation of the United States Commissioner of
9 the International Boundary Commission, United States
10 and Canada, only for actual hours worked by such Com-
11 missioner.

12 SEC. 404. (a) No later than 90 days after enactment
13 of legislation consolidating, reorganizing or downsizing the
14 functions of the Department of State, the United States
15 Information Agency, and the Arms Control and Disar-
16 mament Agency, the Secretary of State, the Director of
17 the United States Information Agency and the Director
18 of the Arms Control and Disarmament Agency shall sub-
19 mit to the Committees on Appropriations of the House
20 and the Senate a proposal for transferring or rescinding
21 funds appropriated herein for functions that are consoli-
22 dated, reorganized or downsized under such legislation:
23 *Provided*, That such plan shall be transmitted in accord-
24 ance with section 605 of this Act.

1 (b) The Secretary of State, the Director of the United
2 States Information Agency, and the Director of the Arms
3 Control and Disarmament Agency, as appropriate, may
4 use any available funds to cover the costs of actions to
5 consolidate, reorganize or downsize the functions under
6 their authority required by such legislation, and of any
7 related personnel action, including voluntary separation
8 incentives if authorized by such legislation: *Provided*, That
9 the authority to transfer funds between appropriations ac-
10 counts that may be necessary to carry out this section is
11 provided in addition to authorities included under section
12 402 of this Act: *Provided further*, That use of funds to
13 carry out this section shall be treated as a reprogramming
14 of funds under section 605 of this Act and shall not be
15 available for obligation or expenditure except in compli-
16 ance with the procedures set forth in that section.

17 SEC. 405. (a) Funds appropriated by this Act for the
18 United States Information Agency, the Arms Control and
19 Disarmament Agency, and the Department of State may
20 be obligated and expended notwithstanding section 701 of
21 the United States Information and Educational Exchange
22 Act of 1948 and section 313 of the Foreign Relations Au-
23 thorization Act, Fiscal Years 1994 and 1995, section 53
24 of the Arms Control and Disarmament Act, and section

1 15 of the State Department Basic Authorities Act of
2 1956.

3 (b) Subsection (a) shall cease to be in effect after
4 April 1, 1996.

5 SEC. 406. Section 36(a)(1) of the State Department
6 Authorities Act of 1956, as amended (22 U.S.C. 2708),
7 is amended to delete “may pay a reward” and insert in
8 lieu thereof “shall establish and publicize a program under
9 which rewards may be paid”.

10 SEC. 407. Sections 6(a) and 6(b) of Public Law 101–
11 454 are repealed. In addition, notwithstanding any other
12 provision of law, Eisenhower Exchange Fellowships, Incor-
13 porated, may use one-third of any earned but unused trust
14 income from the period 1992 through 1995 for Fellowship
15 purposes in each of fiscal years 1996 through 1998.

16 SEC. 408. It is the sense of the Senate that none of
17 the funds appropriated or otherwise made available pursu-
18 ant to this Act should be used for the deployment of com-
19 bat-equipped forces of the Armed Forces of the United
20 States for any ground operations in Bosnia and
21 Herzegovina unless—

22 (1) Congress approves in advance the deployment
23 of such forces of the Armed Forces; or

24 (2) the temporary deployment of such forces of
25 the Armed Forces of the United States into Bosnia

1 and Herzegovina is necessary to evacuate United
2 Nations peacekeeping forces from a situation of im-
3 minent danger, to undertake emergency air rescue
4 operations, or to provide for the airborne delivery of
5 humanitarian supplies, and the President reports as
6 soon as practicable to Congress after the initiation
7 of the temporary deployment, but in no case later
8 than 48 hours after the initiation of the deployment.

9 SEC. 409. Any costs incurred by a Department or
10 agency funded under this title resulting from personnel
11 actions taken in response to funding reductions included
12 in this title shall be absorbed within the total budgetary
13 resources available to such Department or agency: *Pro-*
14 *vided*, That the authority to transfer funds between appro-
15 priations accounts as may be necessary to carry out this
16 provision is provided in addition to authorities included
17 elsewhere in this Act: *Provided further*, That use of funds
18 to carry out this section shall be treated as a
19 reprogramming of funds under section 605 of this Act and
20 shall not be available for obligation or expenditure except
21 in compliance with the procedures set forth in that section.

22 This title may be cited as the “Department of State
23 and Related Agencies Appropriations Act, 1996”.

1 TITLE V—RELATED AGENCIES
2 DEPARTMENT OF TRANSPORTATION
3 MARITIME ADMINISTRATION
4 OPERATING-DIFFERENTIAL SUBSIDIES
5 (LIQUIDATION OF CONTRACT AUTHORITY)

6 For the payment of obligations incurred for operat-
7 ing-differential subsidies as authorized by the Merchant
8 Marine Act, 1936, as amended, \$162,610,000, to remain
9 available until expended.

10 MARITIME NATIONAL SECURITY PROGRAM

11 For necessary expenses to maintain and preserve a
12 U.S.-flag merchant fleet to serve the national security
13 needs of the United States as determined by the Secretary
14 of Defense in consultation with the Secretary of Transpor-
15 tation, \$46,000,000, to remain available until expended:
16 *Provided*, That these funds will be available only upon en-
17 actment of an authorization for this program.

18 OPERATIONS AND TRAINING

19 For necessary expenses of operations and training ac-
20 tivities authorized by law, \$66,600,000, to remain avail-
21 able until expended: *Provided*, That notwithstanding any
22 other provision of law, the Secretary of Transportation
23 may use proceeds derived from the sale or disposal of Na-
24 tional Defense Reserve Fleet vessels that are currently col-
25 lected and retained by the Maritime Administration, to be
26 used for facility and ship maintenance, modernization and

1 repair, conversion, acquisition of equipment, and fuel costs
2 necessary to maintain training at the United States Mer-
3 chant Marine Academy and State maritime academies and
4 may be transferred to the Secretary of the Interior for
5 use as provided in the National Maritime Heritage Act
6 (Public Law 103-451): *Provided further*, That reimburse-
7 ments may be made to this appropriation from receipts
8 to the “Federal Ship Financing Fund” for administrative
9 expenses in support of that program in addition to any
10 amount heretofore appropriated.

11 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

12 ACCOUNT

13 For the cost of guaranteed loans, as authorized by
14 the Merchant Marine Act of 1936, \$40,000,000, to remain
15 available until expended: *Provided*, That such costs, in-
16 cluding the cost of modifying such loans, shall be as de-
17 fined in section 502 of the Congressional Budget Act of
18 1974, as amended: *Provided further*, That these funds are
19 available to subsidize total loan principal, any part of
20 which is to be guaranteed, not to exceed \$1,000,000,000.

21 In addition, for administrative expenses to carry out
22 the guaranteed loan program, not to exceed \$3,500,000,
23 which shall be transferred to and merged with the appro-
24 priation for Operations and Training.

1 ADMINISTRATIVE PROVISIONS—MARITIME

2 ADMINISTRATION

3 Notwithstanding any other provision of this Act, the
4 Maritime Administration is authorized to furnish utilities
5 and services and make necessary repairs in connection
6 with any lease, contract, or occupancy involving Govern-
7 ment property under control of the Maritime Administra-
8 tion, and payments received therefor shall be credited to
9 the appropriation charged with the cost thereof: *Provided,*
10 That rental payments under any such lease, contract, or
11 occupancy for items other than such utilities, services, or
12 repairs shall be covered into the Treasury as miscellaneous
13 receipts.

14 No obligations shall be incurred during the current
15 fiscal year from the construction fund established by the
16 Merchant Marine Act, 1936, or otherwise, in excess of the
17 appropriations and limitations contained in this Act or in
18 any prior appropriation Act, and all receipts which other-
19 wise would be deposited to the credit of said fund shall
20 be covered into the Treasury as miscellaneous receipts.

1 COMMISSION FOR THE PRESERVATION OF AMERICA'S
2 HERITAGE ABROAD
3 SALARIES AND EXPENSES

4 For expenses for the Commission for the Preservation
5 of America's Heritage Abroad, \$206,000, as authorized by
6 Public Law 99-83, section 1303.

7 COMMISSION ON CIVIL RIGHTS
8 SALARIES AND EXPENSES

9 For necessary expenses of the Commission on Civil
10 Rights, including hire of passenger motor vehicles,
11 \$8,750,000: *Provided*, That not to exceed \$50,000 may
12 be used to employ consultants: *Provided further*, That
13 none of the funds appropriated in this paragraph shall be
14 used to employ in excess of four full-time individuals under
15 Schedule C of the Excepted Service exclusive of one special
16 assistant for each Commissioner: *Provided further*, That
17 none of the funds appropriated in this paragraph shall be
18 used to reimburse Commissioners for more than 75
19 billable days, with the exception of the Chairperson who
20 is permitted 125 billable days.

21 COMMISSION ON IMMIGRATION REFORM
22 SALARIES AND EXPENSES

23 For necessary expenses of the Commission on Immi-
24 gration Reform pursuant to section 141(f) of the Immi-

1 gration Act of 1990, \$1,894,000, to remain available until
2 expended.

3 COMMISSION ON SECURITY AND COOPERATION IN
4 EUROPE
5 SALARIES AND EXPENSES

6 For necessary expenses of the Commission on Security and
7 Cooperation in Europe, as authorized by Public
8 Law 94-304, \$1,090,000, to remain available until ex-
9 pended as authorized by section 3 of Public Law 99-7.

10 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
11 SALARIES AND EXPENSES

12 For necessary expenses of the Equal Employment
13 Opportunity Commission as authorized by title VII of the
14 Civil Rights Act of 1964, as amended (29 U.S.C. 206(d)
15 and 621-634), the Americans with Disabilities Act of
16 1990 and the Civil Rights Act of 1991, including services
17 as authorized by 5 U.S.C. 3109; hire of passenger motor
18 vehicles as authorized by 31 U.S.C. 1343(b); nonmonetary
19 awards to private citizens; not to exceed \$26,500,000, for
20 payments to State and local enforcement agencies for serv-
21 ices to the Commission pursuant to title VII of the Civil
22 Rights Act of 1964, as amended, sections 6 and 14 of the
23 Age Discrimination in Employment Act, the Americans
24 with Disabilities Act of 1990, and the Civil Rights Act
25 of 1991; \$233,000,000: *Provided*, That the Commission

1 is authorized to make available for official reception and
2 representation expenses not to exceed \$2,500 from avail-
3 able funds.

4 FEDERAL COMMUNICATIONS COMMISSION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Federal Communica-
7 tions Commission, as authorized by law, including uni-
8 forms and allowances therefor, as authorized by 5 U.S.C.
9 5901-02; not to exceed \$600,000 for land and structure;
10 not to exceed \$500,000 for improvement and care of
11 grounds and repair to buildings; not to exceed \$4,000 for
12 official reception and representation expenses; purchase
13 (not to exceed sixteen) and hire of motor vehicles; special
14 counsel fees; and services as authorized by 5 U.S.C. 3109;
15 \$175,709,000, of which not to exceed \$300,000 shall re-
16 main available until September 30, 1997, for research and
17 policy studies: *Provided*, That \$116,400,000 of offsetting
18 collections shall be assessed and collected pursuant to sec-
19 tion 9 of title I of the Communications Act of 1934, as
20 amended, and shall be retained and used for necessary ex-
21 penses in this appropriation, and shall remain available
22 until expended: *Provided further*, That the sum herein ap-
23 propriated shall be reduced as such offsetting collections
24 are received during fiscal year 1996 so as to result in a
25 final fiscal year 1996 appropriation estimated at

1 \$59,309,000: *Provided further*, That any offsetting collec-
2 tions received in excess of \$116,400,000 in fiscal year
3 1996 shall remain available until expended, but shall not
4 be available for obligation until October 1, 1996.

5 FEDERAL MARITIME COMMISSION

6 SALARIES AND EXPENSES

7 For necessary expenses of the Federal Maritime
8 Commission as authorized by section 201(d) of the Mer-
9 chant Marine Act of 1936, as amended (46 App. U.S.C.
10 1111), including services as authorized by 5 U.S.C. 3109;
11 hire of passenger motor vehicles as authorized by 31
12 U.S.C. 1343(b); and uniforms or allowances therefor, as
13 authorized by 5 U.S.C. 5901–02; \$14,855,000: *Provided*,
14 That not to exceed \$2,000 shall be available for official
15 reception and representation expenses.

16 FEDERAL TRADE COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Federal Trade Com-
19 mission, including uniforms or allowances therefor, as au-
20 thorized by 5 U.S.C. 5901–5902; services as authorized
21 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
22 not to exceed \$2,000 for official reception and representa-
23 tion expenses; \$79,568,000: *Provided*, That not to exceed
24 \$300,000 shall be available for use to contract with a per-
25 son or persons for collection services in accordance with

1 the terms of 31 U.S.C. 3718, as amended: *Provided fur-*
2 *ther*, That notwithstanding any other provision of law, not
3 to exceed \$48,262,000 of offsetting collections derived
4 from fees collected for premerger notification filings under
5 the Hart-Scott-Rodino Antitrust Improvements Act of
6 1976 (15 U.S.C. 18(a)) shall be retained and used for nec-
7 essary expenses in this appropriation, and shall remain
8 available until expended: *Provided further*, That the sum
9 herein appropriated from the General Fund shall be re-
10 duced as such offsetting collections are received during fis-
11 cal year 1996, so as to result in a final fiscal year 1996
12 appropriation from the General Fund estimated at not
13 more than \$31,306,000, to remain available until ex-
14 pended: *Provided further*, That any fees received in excess
15 of \$48,262,000 in fiscal year 1996 shall remain available
16 until expended, but shall not be available for obligation
17 until October 1, 1996: *Provided further*, That none of the
18 funds made available to the Federal Trade Commission
19 shall be available for obligation for expenses authorized
20 by section 151 of the Federal Deposit Insurance Corpora-
21 tion Improvement Act of 1991 (Public Law 102-242, 105
22 Stat. 2282-2285).

1 JAPAN-UNITED STATES FRIENDSHIP COMMISSION

2 JAPAN-UNITED STATES FRIENDSHIP TRUST FUND

3 For expenses of the Japan-United States Friendship
4 Commission, as authorized by Public Law 94-118, as
5 amended, from the interest earned on the Japan-United
6 States Friendship Trust Fund, \$1,247,000; and an
7 amount of Japanese currency not to exceed the equivalent
8 of \$1,420,000 based on exchange rates at the time of pay-
9 ment of such amounts as authorized by Public Law 94-
10 118.

11 LEGAL SERVICES CORPORATION

12 PAYMENT TO THE LEGAL SERVICES CORPORATION

13 For payment to the Legal Services Corporation to
14 carry out the purposes of the Legal Services Corporation
15 Act of 1974, as amended, \$278,000,000, of which
16 \$266,000,000 is for basic field programs; \$7,000,000 is
17 for the Office of the Inspector General, of which
18 \$5,500,000 shall remain available until expended and be
19 used to contract with independent public accountants for
20 financial audits of all recipients in accordance with the
21 requirements of section 509 of this Act; and \$5,000,000
22 is for management and administration: *Provided*, That
23 \$198,750,000 of the total amount provided under this
24 heading for basic field programs shall not be available ex-

1 cept for the competitive award of grants and contracts
2 under section 503 of this Act.

3 ADMINISTRATIVE PROVISIONS—LEGAL SERVICES

4 CORPORATION

5 SEC. 501. (a) Funds appropriated under this Act to
6 the Legal Services Corporation for basic field programs
7 shall be distributed as follows:

8 (1) The Corporation shall define geographic
9 areas and make the funds available for each geo-
10 graphic area on a per capita basis relative to the
11 number of individuals in poverty determined by the
12 Bureau of the Census to be within the geographic
13 area, except as provided in paragraph (2)(B). Funds
14 for such a geographic area may be distributed by the
15 Corporation to 1 or more persons or entities eligible
16 for funding under section 1006(a)(1)(A) of the
17 Legal Services Corporation Act (42 U.S.C.
18 2996e(a)(1)(A)), subject to sections 502 and 504.

19 (2) Funds for grants from the Corporation, and
20 contracts entered into by the Corporation for basic
21 field programs, shall be allocated so as to provide—

22 (A) except as provided in subparagraph
23 (B), an equal figure per individual in poverty
24 for all geographic areas, as determined on the
25 basis of the most recent decennial census of
26 population conducted pursuant to section 141

1 of title 13, United States Code (or, in the case
2 of the Republic of Palau, the Federated States
3 of Micronesia, the Republic of the Marshall Is-
4 lands, Alaska, Hawaii, and the United States
5 Virgin Islands, on the basis of the adjusted
6 population counts historically used as the basis
7 for such determinations); and

8 (B) an additional amount for Native Amer-
9 ican communities that received assistance under
10 the Legal Services Corporation Act for fiscal
11 year 1995, so that the proportion of the funds
12 appropriated to the Legal Services Corporation
13 for basic field programs for fiscal year 1996
14 that is received by the Native American commu-
15 nities shall be not less than the proportion of
16 such funds appropriated for fiscal year 1995
17 that was received by the Native American com-
18 munities.

19 (b) As used in this section:

20 (1) The term “individual in poverty” means an
21 individual who is a member of a family (of 1 or
22 more members) with an income at or below the pov-
23 erty line.

24 (2) The term “poverty line” means the poverty
25 line (as defined by the Office of Management and

1 Budget, and revised annually in accordance with sec-
2 tion 673(2) of the Community Services Block Grant
3 Act (42 U.S.C. 9902(2)) applicable to a family of
4 the size involved.

5 SEC. 502. None of the funds appropriated in this Act
6 to the Legal Services Corporation shall be used by the
7 Corporation to make a grant, or enter into a contract, for
8 the provision of legal assistance unless the Corporation en-
9 sures that the person or entity receiving funding to pro-
10 vide such legal assistance is—

11 (1) a private attorney admitted to practice in a
12 State or the District of Columbia;

13 (2) a qualified nonprofit organization, chartered
14 under the laws of a State or the District of Colum-
15 bia, that—

16 (A) furnishes legal assistance to eligible
17 clients; and

18 (B) is governed by a board of directors or
19 other governing body, the majority of which is
20 comprised of attorneys who—

21 (i) are admitted to practice in a State
22 or the District of Columbia; and

23 (ii) are appointed to terms of office on
24 such board or body by the governing body
25 of a State, county, or municipal bar asso-

1 ciation, the membership of which rep-
2 resents a majority of the attorneys practic-
3 ing law in the locality in which the organi-
4 zation is to provide legal assistance;

5 (3) a State or local government (without regard
6 to section 1006(a)(1)(A)(ii) of the Legal Services
7 Corporation Act (42 U.S.C. 2996e(a)(1)(A)(ii)); or

8 (4) a substate regional planning or coordination
9 agency that serves a substate area and whose gov-
10 erning board is controlled by locally elected officials.

11 SEC. 503. (a)(1) Not later than April 1, 1996, the
12 Legal Services Corporation shall implement a system of
13 competitive awards of grants and contracts for all basic
14 field programs, which shall apply to all such grants and
15 contracts awarded by the Corporation after March 31,
16 1996, from funds appropriated in this Act.

17 (2) Any grant or contract awarded before April 1,
18 1996, by the Legal Services Corporation to a basic field
19 program for 1996—

20 (A) shall not be for an amount greater than the
21 amount required for the period ending March 31,
22 1996;

23 (B) shall terminate at the end of such period;
24 and

1 (C) shall not be renewable except in accordance
2 with the system implemented under paragraph (1).

3 (3) The amount of grants and contracts awarded be-
4 fore April 1, 1996, by the Legal Services Corporation for
5 basic field programs for 1996 in any geographic area de-
6 scribed in section 501 shall not exceed an amount equal
7 to $\frac{3}{12}$ of the total amount to be distributed for such pro-
8 grams for 1996 in such area.

9 (b) Not later than 60 days after the date of enact-
10 ment of this Act, the Legal Services Corporation shall pro-
11 mulgate regulations to implement a competitive selection
12 process for the recipients of such grants and contracts.

13 (c) Such regulations shall specify selection criteria for
14 the recipients, which shall include—

15 (1) a demonstration of a full understanding of
16 the basic legal needs of the eligible clients to be
17 served and a demonstration of the capability of serv-
18 ing the needs;

19 (2) the quality, feasibility, and cost effective-
20 ness of a plan submitted by an applicant for the de-
21 livery of legal assistance to the eligible clients to be
22 served; and

23 (3) the experience of the Legal Services Cor-
24 poration with the applicant, if the applicant has pre-
25 viously received financial assistance from the Cor-

1 poration, including the record of the applicant of
2 past compliance with Corporation policies, practices,
3 and restrictions.

4 (d) Such regulations shall ensure that timely notice
5 regarding an opportunity to submit an application for
6 such an award is published in periodicals of local and
7 State bar associations and in at least 1 daily newspaper
8 of general circulation in the area to be served by the per-
9 son or entity receiving the award.

10 (e) No person or entity that was previously awarded
11 a grant or contract by the Legal Services Corporation for
12 the provision of legal assistance may be given any pref-
13 erence in the competitive selection process.

14 (f) For the purposes of the funding provided in this
15 Act, rights under sections 1007(a)(9) and 1011 of the
16 Legal Services Corporation Act (42 U.S.C. 2996f(a)(9)
17 and 42 U.S.C. 2996j) shall not apply.

18 SEC. 504. (a) None of the funds appropriated in this
19 Act to the Legal Services Corporation may be used to pro-
20 vide financial assistance to any person or entity (which
21 may be referred to in this section as a “recipient”)—

22 (1) that makes available any funds, personnel,
23 or equipment for use in advocating or opposing any
24 plan or proposal, or represents any party or partici-
25 pates in any other way in litigation, that is intended

1 to or has the effect of altering, revising, or reapportioning a legislative, judicial, or elective district at
2 any level of government, including influencing the
3 timing or manner of the taking of a census;

4 (2) that attempts to influence the issuance,
5 amendment, or revocation of any executive order,
6 regulation, or other statement of general applicability and future effect by any Federal, State, or local
7 agency;

8 (3) that attempts to influence any part of any
9 adjudicatory proceeding of any Federal, State, or
10 local agency if such part of the proceeding is designed for the formulation or modification of any
11 agency policy of general applicability and future effect;

12 (4) that attempts to influence the passage or
13 defeat of any legislation, constitutional amendment,
14 referendum, initiative, or any similar procedure of
15 the Congress or a State or local legislative body;

16 (5) that attempts to influence the conduct of
17 oversight proceedings of the Corporation or any person or entity receiving financial assistance provided
18 by the Corporation;

19 (6) that pays for any personal service, advertisement, telegram, telephone communication, letter,
20
21
22
23
24
25

1 printed or written matter, administrative expense, or
2 related expense, associated with an activity prohib-
3 ited in this section;

4 (7) that initiates or participates in a class ac-
5 tion suit;

6 (8) that files a complaint or otherwise initiates
7 or participates in litigation against a defendant, or
8 engages in a precomplaint settlement negotiation
9 with a prospective defendant, unless—

10 (A) each plaintiff has been specifically
11 identified, by name, in any complaint filed for
12 purposes of such litigation or prior to the
13 precomplaint settlement negotiation; and

14 (B) a statement or statements of facts
15 written in English and, if necessary, in a lan-
16 guage that the plaintiffs understand, that enu-
17 merate the particular facts known to the plain-
18 tiffs on which the complaint is based, have been
19 signed by the plaintiffs, are kept on file by the
20 recipient, and are made available to any Fed-
21 eral department or agency that is auditing or
22 monitoring the activities of the Corporation or
23 of the recipient, and to any auditor or monitor
24 receiving Federal funds to conduct such audit-

1 ing or monitoring, including any auditor or
2 monitor of the Corporation:

3 *Provided*, That upon establishment of reasonable
4 cause that an injunction is necessary to prevent
5 probable, serious harm to such potential plaintiff, a
6 court of competent jurisdiction may enjoin the dis-
7 closure of the identity of any potential plaintiff
8 pending the outcome of such litigation or negotia-
9 tions after notice and an opportunity for a hearing
10 is provided to potential parties to the litigation or
11 the negotiations: *Provided further*, That other parties
12 to the litigation or negotiation shall have access to
13 the statement of facts referred to in subparagraph
14 (B) only through the discovery process after litiga-
15 tion has begun;

16 (9) unless—

17 (A) prior to the provision of financial as-
18 sistance—

19 (i) if the person or entity is a non-
20 profit organization, the governing board of
21 the person or entity has set specific prior-
22 ities in writing, pursuant to section
23 1007(a)(2)(C)(i) of the Legal Services
24 Corporation Act (42 U.S.C.
25 2996f(a)(2)(C)(i)), of the types of matters

1 and cases to which the staff of the non-
2 profit organization shall devote time and
3 resources; and

4 (ii) the staff of such person or entity
5 has signed a written agreement not to un-
6 dertake cases or matters other than in ac-
7 cordance with the specific priorities set by
8 such governing board, except in emergency
9 situations defined by such board and in ac-
10 cordance with the written procedures of
11 such board for such situations; and

12 (B) the staff of such person or entity pro-
13 vides to the governing board on a quarterly
14 basis, and to the Corporation on an annual
15 basis, information on all cases or matters un-
16 dertaken other than cases or matters under-
17 taken in accordance with such priorities;

18 (10) unless—

19 (A) prior to receiving the financial assist-
20 ance, such person or entity agrees to maintain
21 records of time spent on each case or matter
22 with respect to which the person or entity is en-
23 gaged;

24 (B) any funds, including Interest on Law-
25 yers Trust Account funds, received from a

1 source other than the Corporation by the per-
2 son or entity, and disbursements of such funds,
3 are accounted for and reported as receipts and
4 disbursements, respectively, separate and dis-
5 tinct from Corporation funds; and

6 (C) the person or entity agrees (notwith-
7 standing section 1009(d) of the Legal Services
8 Corporation Act (42 U.S.C. 2996h(d)) to make
9 the records described in this paragraph avail-
10 able to any Federal department or agency that
11 is auditing or monitoring the activities of the
12 Corporation or of the recipient, and to any
13 independent auditor or monitor receiving Fed-
14 eral funds to conduct such auditing or monitor-
15 ing, including any auditor or monitor of the
16 Corporation;

17 (11) that provides legal assistance for or on be-
18 half of any alien, unless the alien is present in the
19 United States and is—

20 (A) an alien lawfully admitted for perma-
21 nent residence as defined in section 101(a)(20)
22 of the Immigration and Nationality Act (8
23 U.S.C. 1101(a)(20));

24 (B) an alien who—

1 (i) is married to a United States citi-
2 zen or is a parent or an unmarried child
3 under the age of 21 years of such a citizen;
4 and

5 (ii) has filed an application to adjust
6 the status of the alien to the status of a
7 lawful permanent resident under the Immi-
8 gration and Nationality Act (8 U.S.C.
9 1101 et seq.), which application has not
10 been rejected;

11 (C) an alien who is lawfully present in the
12 United States pursuant to an admission under
13 section 207 of the Immigration and Nationality
14 Act (8 U.S.C. 1157) (relating to refugee admis-
15 sion) or who has been granted asylum by the
16 Attorney General under such Act;

17 (D) an alien who is lawfully present in the
18 United States as a result of withholding of de-
19 portation by the Attorney General pursuant to
20 section 243(h) of the Immigration and Nation-
21 ality Act (8 U.S.C. 1253(h));

22 (E) an alien to whom section 305 of the
23 Immigration Reform and Control Act of 1986
24 (8 U.S.C. 1101 note) applies, but only to the

1 extent that the legal assistance provided is the
2 legal assistance described in such section; or

3 (F) an alien who is lawfully present in the
4 United States as a result of being granted con-
5 ditional entry to the United States before April
6 1, 1980, pursuant to section 203(a)(7) of the
7 Immigration and Nationality Act (8 U.S.C.
8 1153(a)(7)), as in effect on March 31, 1980,
9 because of persecution or fear of persecution on
10 account of race, religion, or political calamity;

11 (12) that supports or conducts a training pro-
12 gram for the purpose of advocating a particular pub-
13 lic policy or encouraging a political activity, a labor
14 or antilabor activity, a boycott, picketing, a strike,
15 or a demonstration, including the dissemination of
16 information about such a policy or activity, except
17 that this paragraph shall not be construed to pro-
18 hibit the provision of training to an attorney or a
19 paralegal to prepare the attorney or paralegal to
20 provide—

21 (A) adequate legal assistance to eligible cli-
22 ents; or

23 (B) advice to any eligible client as to the
24 legal rights of the client;

1 (13) that claims (or whose employee claims), or
2 collects and retains, attorneys' fees pursuant to any
3 Federal or State law permitting or requiring the
4 awarding of such fees;

5 (14) that participates in any litigation with re-
6 spect to abortion;

7 (15) that participates in any litigation on behalf
8 of a person incarcerated in a Federal, State, or local
9 prison;

10 (16) that initiates legal representation or par-
11 ticipates in any other way, in litigation, lobbying, or
12 rulemaking, involving an effort to reform a Federal
13 or State welfare system, except that this paragraph
14 shall not be construed to preclude a recipient from
15 representing an individual eligible client who is seek-
16 ing specific relief from a welfare agency if such relief
17 does not involve an effort to amend or otherwise
18 challenge existing law in effect on the date of the
19 initiation of the representation;

20 (17) that defends a person in a proceeding to
21 evict the person from a public housing project if—

22 (A) the person has been charged with the
23 illegal sale or distribution of a controlled sub-
24 stance; and

1 (B) the eviction proceeding is brought by a
2 public housing agency because the illegal drug
3 activity of the person threatens the health or
4 safety of another tenant residing in the public
5 housing project or employee of the public hous-
6 ing agency;

7 (18) unless such person or entity agrees that
8 the person or entity, and the employees of the per-
9 son or entity, will not accept employment resulting
10 from in-person unsolicited advice to a nonattorney
11 that such nonattorney should obtain counsel or take
12 legal action, and will not refer such nonattorney to
13 another person or entity or an employee of the per-
14 son or entity, that is receiving financial assistance
15 provided by the Corporation; or

16 (19) unless such person or entity enters into a
17 contractual agreement to be subject to all provisions
18 of Federal law relating to the proper use of Federal
19 funds, the violation of which shall render any grant
20 or contractual agreement to provide funding null
21 and void, and, for such purposes, the Corporation
22 shall be considered to be a Federal agency and all
23 funds provided by the Corporation shall be consid-
24 ered to be Federal funds provided by grant or con-
25 tract.

1 (b) Nothing in this section shall be construed to pro-
2 hibit a recipient from using funds from a source other
3 than the Legal Services Corporation for the purpose of
4 contacting, communicating with, or responding to a re-
5 quest from, a State or local government agency, a State
6 or local legislative body or committee, or a member there-
7 of, regarding funding for the recipient, including a pend-
8 ing or proposed legislative or agency proposal to fund such
9 recipient.

10 (c) Not later than 30 days after the date of enact-
11 ment of this Act, the Legal Services Corporation shall pro-
12 mulgate a suggested list of priorities that boards of direc-
13 tors may use in setting priorities under subsection (a)(9).

14 (d)(1) The Legal Services Corporation shall not ac-
15 cept any non-Federal funds, and no recipient shall accept
16 funds from any source other than the Corporation, unless
17 the Corporation or the recipient, as the case may be, noti-
18 fies in writing the source of the funds that the funds may
19 not be expended for any purpose prohibited by the Legal
20 Services Corporation Act or this title.

21 (2) Paragraph (1) shall not prevent a recipient
22 from—

23 (A) receiving Indian tribal funds (including
24 funds from private nonprofit organizations for the
25 benefit of Indians or Indian tribes) and expending

1 the tribal funds in accordance with the specific pur-
2 poses for which the tribal funds are provided; or

3 (B) using funds received from a source other
4 than the Legal Services Corporation to provide legal
5 assistance to a covered individual if such funds are
6 used for the specific purposes for which such funds
7 were received, except that such funds may not be ex-
8 pended by recipients for any purpose prohibited by
9 this Act or by the Legal Services Corporation Act.

10 (e) As used in this section:

11 (1) The term “controlled substance” has the
12 meaning given the term in section 102 of the Con-
13 trolled Substances Act (21 U.S.C. 802).

14 (2) The term “covered individual” means any
15 person who—

16 (A) except as provided in subparagraph
17 (B), meets the requirements of this Act and the
18 Legal Services Corporation Act relating to eligi-
19 bility for legal assistance; and

20 (B) may or may not be financially unable
21 to afford legal assistance.

22 (3) The term “public housing project” has the
23 meaning as used within, and the term “public hous-
24 ing agency” has the meaning given the term, in sec-

1 tion 3 of the United States Housing Act of 1937 (42
2 U.S.C. 1437a).

3 SEC. 505. None of the funds appropriated in this Act
4 to the Legal Services Corporation or provided by the Cor-
5 poration to any entity or person may be used to pay mem-
6 bership dues to any private or nonprofit organization.

7 SEC. 506. None of the funds appropriated in this Act
8 to the Legal Services Corporation may be used by any per-
9 son or entity receiving financial assistance from the Cor-
10 poration to file or pursue a lawsuit against the Corpora-
11 tion.

12 SEC. 507. None of the funds appropriated in this Act
13 to the Legal Services Corporation may be used for any
14 purpose prohibited or contrary to any of the provisions
15 of authorization legislation for fiscal year 1996 for the
16 Legal Services Corporation that is enacted into law. Upon
17 the enactment of such Legal Services Corporation reau-
18 thorization legislation, funding provided in this Act shall
19 from that date be subject to the provisions of that legisla-
20 tion and any provisions in this Act that are inconsistent
21 with that legislation shall no longer have effect.

22 SEC. 508. (a) The requirements of section 504 shall
23 apply to the activities of a recipient described in section
24 504, or an employee of such a recipient, during the provi-
25 sion of legal assistance for a case or matter, if the recipi-

1 ent or employee begins to provide the legal assistance on
2 or after the date of enactment of this Act.

3 (b) If the recipient or employee began to provide legal
4 assistance for the case or matter prior to the date of enact-
5 ment of this Act—

6 (1) each of the requirements of section 504
7 (other than paragraphs (7), (11), and (15) of sub-
8 section (a) of such section) shall, beginning on the
9 date of enactment of this Act, apply to the activities
10 of the recipient or employee during the provision of
11 legal assistance for the case or matter; and

12 (2) the requirements of paragraphs (7), (11),
13 and (15) of section 504(a) shall apply—

14 (A) beginning on the date of enactment of
15 this Act, to the activities of the recipient or em-
16 ployee during the provision of legal assistance
17 for any additional related claim for which the
18 recipient or employee begins to provide legal as-
19 sistance on or after such date; and

20 (B) beginning July 1, 1996, to all other
21 activities of the recipient or employee during
22 the provision of legal assistance for the case or
23 matter.

24 (c) The Legal Services Corporation shall, every 60
25 days, submit to the Committees on Appropriations of the

1 Senate and House of Representatives a report setting
2 forth the status of cases and matters referred to in sub-
3 section (b)(2).

4 SEC. 509. (a) An audit of each person or entity re-
5 ceiving financial assistance from the Legal Services Cor-
6 poration under this Act (referred to in this section as a
7 “recipient”) shall be conducted in accordance with gen-
8 erally accepted government auditing standards and shall
9 report whether—

10 (1) the financial statements of the recipient
11 present fairly its financial position and the results of
12 its financial operations in accordance with generally
13 accepted accounting principles;

14 (2) the recipient has internal control systems to
15 provide reasonable assurance that it is managing
16 funds, regardless of source, in compliance with Fed-
17 eral laws and regulations; and

18 (3) the recipient has complied with Federal
19 laws and regulations applicable to funds received, re-
20 gardless of source.

21 (b) In carrying out the requirements of subsection
22 (a)(3), the auditor shall select and test a representative
23 number of transactions. Any noncompliance found by the
24 auditor during the audit under this section shall be re-

1 ported within 30 days to the Office of the Inspector Gen-
2 eral.

3 (c) Audits conducted in accordance with this section
4 shall be in lieu of the financial audits otherwise required
5 by section 1009(c) of the Legal Services Corporation Act
6 (42 U.S.C. 2996h(c)).

7 (d) Notwithstanding section 1006(b)(3) of the Legal
8 Services Corporation Act (42 U.S.C. 2996e(b)(3)), the
9 Legal Services Corporation shall have access to financial
10 records, time records, retainer agreements, client trust
11 fund and eligibility records, and client names, for each re-
12 cipient, except for reports or records subject to the attor-
13 ney-client privilege.

14 (e) The Legal Services Corporation shall not disclose
15 any name or document referred to in subsection (d), ex-
16 cept to—

17 (1) a Federal, State, or local law enforcement
18 official; or

19 (2) an official of an appropriate bar association
20 for the purpose of enabling the official to conduct an
21 investigation of a rule of professional conduct.

22 (f) The requirements of this section shall apply to a
23 recipient for its first fiscal year beginning on or after Jan-
24 uary 1, 1996.

1 MARINE MAMMAL COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Marine Mammal Com-
4 mission as authorized by title II of Public Law 92-522,
5 as amended, \$1,190,000.

6 MARTIN LUTHER KING, JR. FEDERAL HOLIDAY

7 COMMISSION

8 SALARIES AND EXPENSES

9 For necessary expenses of the Martin Luther King,
10 Jr. Federal Holiday Commission, as authorized by Public
11 Law 98-399, as amended, \$350,000: *Provided*, That this
12 shall be the final Federal payment to the Martin Luther
13 King, Jr. Federal Holiday Commission for operations and
14 necessary closing costs.

15 SECURITIES AND EXCHANGE COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses for the Securities and Ex-
18 change Commission, including services as authorized by
19 5 U.S.C. 3109, the rental of space (to include multiple
20 year leases) in the District of Columbia and elsewhere, and
21 not to exceed \$3,000 for official reception and representa-
22 tion expenses, \$287,738,000, of which \$3,000,000 is for
23 the Office of Economic Analysis, to be headed by the Chief
24 Economist of the Commission, and of which not to exceed
25 \$10,000 may be used toward funding a permanent sec-

1 retariat for the International Organization of Securities
2 Commissions, and of which not to exceed \$100,000 shall
3 be available for expenses for consultations and meetings
4 hosted by the Commission with foreign governmental and
5 other regulatory officials, members of their delegations,
6 appropriate representatives and staff to exchange views
7 concerning developments relating to securities matters, de-
8 velopment and implementation of cooperation agreements
9 concerning securities matters and provision of technical
10 assistance for the development of foreign securities mar-
11 kets, such expenses to include necessary logistic and ad-
12 ministrative expenses and the expenses of Commission
13 staff and foreign invitees in attendance at such consulta-
14 tions and meetings including: (i) such incidental expenses
15 as meals taken in the course of such attendance, (ii) any
16 travel and transportation to or from such meetings, and
17 (iii) any other related lodging or subsistence: *Provided*,
18 That immediately upon enactment of this Act, the rate
19 of fees under section 6(b) of the Securities Act of 1933
20 (15 U.S.C. 77f(b)) shall increase from one-fiftieth of one
21 percentum to one-twenty-ninth of one percentum, and
22 such increase shall be deposited as an offsetting collection
23 to this appropriation, to remain available until expended,
24 to recover costs of services of the securities registration
25 process: *Provided further*, That the total amount appro-

1 priated for fiscal year 1996 under this heading shall be
2 reduced as such fees are deposited to this appropriation
3 so as to result in a final total fiscal year 1996 appropria-
4 tion from the General Fund estimated at not more than
5 \$103,445,000: *Provided further*, That any such fees col-
6 lected in excess of \$184,293,000 shall remain available
7 until expended but shall not be available for obligation
8 until October 1, 1996: *Provided further*, That \$1,000,000
9 of the funds appropriated for the Commission shall be
10 available for the enforcement of the Investment Advisers
11 Act of 1940 in addition to any other appropriated funds
12 designated by the Commission for enforcement of such
13 Act.

14 SMALL BUSINESS ADMINISTRATION

15 SALARIES AND EXPENSES

16 For necessary expenses, not otherwise provided for,
17 of the Small Business Administration as authorized by
18 Public Law 103-403, including hire of passenger motor
19 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
20 not to exceed \$3,500 for official reception and representa-
21 tion expenses, \$219,190,000: *Provided*, That the Adminis-
22 trator is authorized to charge fees to cover the cost of pub-
23 lications developed by the Small Business Administration,
24 and certain loan servicing activities: *Provided further*,
25 That notwithstanding 31 U.S.C. 3302, revenues received

1 from all such activities shall be credited to this account,
2 to be available for carrying out these purposes without fur-
3 ther appropriations.

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended (5 U.S.C. App. 1–11
8 as amended by Public Law 100–504), \$8,500,000.

9 BUSINESS LOANS PROGRAM ACCOUNT

10 For the cost of direct loans, \$4,500,000, and for the
11 cost of guaranteed loans, \$156,226,000, as authorized by
12 15 U.S.C. 631 note, of which \$1,216,000, to be available
13 until expended, shall be for the Microloan Guarantee Pro-
14 gram, and of which \$40,510,000 shall remain available
15 until September 30, 1997: *Provided*, That such costs, in-
16 cluding the cost of modifying such loans, shall be as de-
17 fined in section 502 of the Congressional Budget Act of
18 1974: *Provided further*, That during fiscal year 1996, com-
19 mitments to guarantee loans under section 503 of the
20 Small Business Investment Act of 1958, as amended, shall
21 not exceed the amount of financings authorized under sec-
22 tion 20(n)(2)(B) of the Small Business Act, as amended.

23 In addition, for administrative expenses to carry out
24 the direct and guaranteed loan programs, \$92,622,000,
25 which may be transferred to and merged with the appro-
26 priations for Salaries and Expenses.

1 DISASTER LOANS PROGRAM ACCOUNT

2 For the cost of direct loans authorized by section 7(b)
3 of the Small Business Act, as amended, \$34,432,000, to
4 remain available until expended: *Provided*, That such
5 costs, including the cost of modifying such loans, shall be
6 as defined in section 502 of the Congressional Budget Act
7 of 1974.

8 In addition, for administrative expenses to carry out
9 the direct loan program, \$71,578,000, which may be
10 transferred to and merged with the appropriations for Sal-
11 aries and Expenses.

12 SURETY BOND GUARANTEES REVOLVING FUND

13 For additional capital for the “Surety Bond Guarant-
14 tees Revolving Fund”, authorized by the Small Business
15 Investment Act, as amended, \$2,530,000, to remain avail-
16 able without fiscal year limitation as authorized by 15
17 U.S.C. 631 note.

18 ADMINISTRATIVE PROVISION—SMALL BUSINESS

19 ADMINISTRATION

20 SEC. 510. Not to exceed 5 percent of any appropria-
21 tion made available for the current fiscal year for the
22 Small Business Administration in this Act may be trans-
23 ferred between such appropriations, but no such appro-
24 priation shall be increased by more than 10 percent by
25 any such transfers: *Provided*, That any transfer pursuant
26 to this section shall be treated as a reprogramming of

1 funds under section 605 of this Act and shall not be avail-
2 able for obligation or expenditure except in compliance
3 with the procedures set forth in that section.

4 STATE JUSTICE INSTITUTE

5 SALARIES AND EXPENSES

6 For necessary expenses of the State Justice Institute,
7 as authorized by The State Justice Institute Authorization
8 Act of 1992 (Public Law 102–572 (106 Stat. 4515–
9 4516)), \$5,000,000 to remain available until expended:
10 *Provided*, That not to exceed \$2,500 shall be available for
11 official reception and representation expenses.

12 TITLE VI—GENERAL PROVISIONS

13 SEC. 601. No part of any appropriation contained in
14 this Act shall be used for publicity or propaganda purposes
15 not authorized by the Congress.

16 SEC. 602. No part of any appropriation contained in
17 this Act shall remain available for obligation beyond the
18 current fiscal year unless expressly so provided herein.

19 SEC. 603. The expenditure of any appropriation
20 under this Act for any consulting service through procure-
21 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
22 to those contracts where such expenditures are a matter
23 of public record and available for public inspection, except
24 where otherwise provided under existing law, or under ex-
25 isting Executive order issued pursuant to existing law.

1 SEC. 604. If any provision of this Act or the applica-
2 tion of such provision to any person or circumstances shall
3 be held invalid, the remainder of the Act and the applica-
4 tion of each provision to persons or circumstances other
5 than those as to which it is held invalid shall not be af-
6 fected thereby.

7 SEC. 605 (a) None of the funds provided under this
8 Act, or provided under previous Appropriations Acts to the
9 agencies funded by this Act that remain available for obli-
10 gation or expenditure in fiscal year 1996, or provided from
11 any accounts in the Treasury of the United States derived
12 by the collection of fees available to the agencies funded
13 by this Act, shall be available for obligation or expenditure
14 through a reprogramming of funds which (1) creates new
15 programs; (2) eliminates a program, project, or activity;
16 (3) increases funds or personnel by any means for any
17 project or activity for which funds have been denied or
18 restricted; (4) relocates an office or employees; (5) reorga-
19 nizes offices, programs, or activities; or (6) contracts out
20 or privatizes any functions or activities presently per-
21 formed by Federal employees; unless the Appropriations
22 Committees of both Houses of Congress are notified fif-
23 teen days in advance of such reprogramming of funds.

24 (b) None of the funds provided under this Act, or
25 provided under previous Appropriations Acts to the agen-

1 cies funded by this Act that remain available for obligation
2 or expenditure in fiscal year 1996, or provided from any
3 accounts in the Treasury of the United States derived by
4 the collection of fees available to the agencies funded by
5 this Act, shall be available for obligation or expenditure
6 for activities, programs, or projects through a
7 reprogramming of funds in excess of \$500,000 or 10 per-
8 cent, whichever is less, that (1) augments existing pro-
9 grams, projects, or activities; (2) reduces by 10 percent
10 funding for any existing program, project, or activity, or
11 numbers of personnel by 10 percent as approved by Con-
12 gress; or (3) results from any general savings from a re-
13 duction in personnel which would result in a change in
14 existing programs, activities, or projects as approved by
15 Congress; unless the Appropriations Committees of both
16 Houses of Congress are notified fifteen days in advance
17 of such reprogramming of funds.

18 SEC. 606. None of the funds made available in this
19 Act may be used for the construction, repair (other than
20 emergency repair), overhaul, conversion, or modernization
21 of vessels for the National Oceanic and Atmospheric Ad-
22 ministration in shipyards located outside of the United
23 States.

24 SEC. 607. (a) PURCHASE OF AMERICAN-MADE
25 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-

1 gress that, to the greatest extent practicable, all equip-
2 ment and products purchased with funds made available
3 in this Act should be American-made.

4 (b) NOTICE REQUIREMENT.—In providing financial
5 assistance to, or entering into any contract with, any en-
6 tity using funds made available in this Act, the head of
7 each Federal agency, to the greatest extent practicable,
8 shall provide to such entity a notice describing the state-
9 ment made in subsection (a) by the Congress.

10 SEC. 608. None of the funds made available in this
11 Act may be used to implement, administer, or enforce any
12 guidelines of the Equal Employment Opportunity Com-
13 mission covering harassment based on religion, when it is
14 made known to the Federal entity or official to which such
15 funds are made available that such guidelines do not differ
16 in any respect from the proposed guidelines published by
17 the Commission on October 1, 1993 (58 Fed. Reg.
18 51266).

19 SEC. 609. None of the funds appropriated or other-
20 wise made available by this Act may be obligated or ex-
21 pended to pay for any cost incurred for (1) opening or
22 operating any United States diplomatic or consular post
23 in the Socialist Republic of Vietnam that was not operat-
24 ing on July 11, 1995; (2) expanding any United States
25 diplomatic or consular post in the Socialist Republic of

1 Vietnam that was operating on July 11, 1995; or (3) in-
2 creasing the total number of personnel assigned to United
3 States diplomatic or consular posts in the Socialist Repub-
4 lic of Vietnam above the levels existing on July 11, 1995,
5 unless the President certifies within 60 days, based upon
6 all information available to the United States Government
7 that the Government of the Socialist Republic of Vietnam
8 is fully cooperating with the United States in the following
9 four areas:

10 (1) Resolving discrepancy cases, live sightings
11 and field activities,

12 (2) Recovering and repatriating American re-
13 mains,

14 (3) Accelerating efforts to provide documents
15 that will help lead to fullest possible accounting of
16 POW/MIA's,

17 (4) Providing further assistance in implement-
18 ing trilateral investigations with Laos.

19 SEC. 610. None of the funds made available by this
20 Act may be used for any United Nations undertaking
21 when it is made known to the Federal official having au-
22 thority to obligate or expend such funds (1) that the Unit-
23 ed Nations undertaking is a peacekeeping mission, (2)
24 that such undertaking will involve United States Armed
25 Forces under the command or operational control of a for-

1 eign national, and (3) that the President’s military advi-
2 sors have not submitted to the President a recommenda-
3 tion that such involvement is in the national security inter-
4 ests of the United States and the President has not sub-
5 mitted to the Congress such a recommendation.

6 SEC. 611. None of the funds made available in this
7 Act shall be used to provide the following amenities or per-
8 sonal comforts in the Federal prison system—

9 (1) in-cell television viewing except for prisoners
10 who are segregated from the general prison popu-
11 lation for their own safety;

12 (2) the viewing of R, X, and NC-17 rated mov-
13 ies, through whatever medium presented;

14 (3) any instruction (live or through broadcasts)
15 or training equipment for boxing, wrestling, judo,
16 karate, or other martial art, or any bodybuilding or
17 weightlifting equipment of any sort;

18 (4) possession of in-cell coffee pots, hot plates,
19 or heating elements; or

20 (5) the use or possession of any electric or elec-
21 tronic musical instrument.

22 SEC. 612. None of the funds made available in title
23 II for the National Oceanic and Atmospheric Administra-
24 tion under the heading “Fleet Modernization, Shipbuild-

1 ing and Conversion” may be used to implement sections
2 603, 604, and 605 of Public Law 102–567.

3 SEC. 613. None of the funds made available in this
4 Act may be used for “USIA Television Marti Program”
5 under the Television Broadcasting to Cuba Act or any
6 other program of United States Government television
7 broadcasts to Cuba, when it is made known to the Federal
8 official having authority to obligate or expend such funds
9 that such use would be inconsistent with the applicable
10 provisions of the March 1995 Office of Cuba Broadcasting
11 Reinventing Plan of the United States Information Agen-
12 cy.

13 SEC. 614. (a)(1) Section 5002 of title 18, United
14 States Code, is repealed.

15 (2) The table of sections for chapter 401 of title 18,
16 United States Code, is amended by striking out the item
17 relating to the Advisory Corrections Council.

18 (b) This section shall take effect 30 days after the
19 date of the enactment of this Act.

20 SEC. 615. Any costs incurred by a Department or
21 agency funded under this Act resulting from personnel ac-
22 tions taken in response to funding reductions included in
23 this Act shall be absorbed within the total budgetary re-
24 sources available to such Department or agency: *Provided*,
25 That the authority to transfer funds between appropria-

1 tions accounts as may be necessary to carry out this provi-
2 sion is provided in addition to authorities included else-
3 where in this Act: *Provided further*, That use of funds to
4 carry out this section shall be treated as a reprogramming
5 of funds under section 605 of this Act and shall not be
6 available for obligation or expenditure except in compli-
7 ance with the procedures set forth in that section.

8 TITLE VII—RESCISSIONS

9 DEPARTMENT OF JUSTICE

10 GENERAL ADMINISTRATION

11 WORKING CAPITAL FUND

12 (RESCISSION)

13 Of the unobligated balances available under this
14 heading, \$65,000,000 are rescinded.

15 DEPARTMENT OF STATE

16 ADMINISTRATION OF FOREIGN AFFAIRS

17 ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

18 (RESCISSION)

19 Of the unobligated balances available under this
20 heading, \$60,000,000 are rescinded.

21 RELATED AGENCIES

22 UNITED STATES INFORMATION AGENCY

23 RADIO CONSTRUCTION

24 (RESCISSION)

25 Of the unobligated balances available under this
26 heading, \$7,400,000 are rescinded.

1 TITLE VIII—PRISON LITIGATION REFORM

2 **SEC. 801. SHORT TITLE.**

3 This title may be cited as the “Prison Litigation Re-
4 form Act of 1995”.

5 **SEC. 802. APPROPRIATE REMEDIES FOR PRISON CONDI-**
6 **TIONS.**

7 (a) IN GENERAL.—Section 3626 of title 18, United
8 States Code, is amended to read as follows:

9 **“§ 3626. Appropriate remedies with respect to prison**
10 **conditions**

11 “(a) REQUIREMENTS FOR RELIEF.—

12 “(1) PROSPECTIVE RELIEF.—(A) Prospective
13 relief in any civil action with respect to prison condi-
14 tions shall extend no further than necessary to cor-
15 rect the violation of the Federal right of a particular
16 plaintiff or plaintiffs. The court shall not grant or
17 approve any prospective relief unless the court finds
18 that such relief is narrowly drawn, extends no fur-
19 ther than necessary to correct the violation of the
20 Federal right, and is the least intrusive means nec-
21 essary to correct the violation of the Federal right.
22 The court shall give substantial weight to any ad-
23 verse impact on public safety or the operation of a
24 criminal justice system caused by the relief.

1 “(B) The court shall not order any prospective
2 relief that requires or permits a government official
3 to exceed his or her authority under State or local
4 law or otherwise violates State or local law, unless—

5 “(i) Federal law permits such relief to be
6 ordered in violation of State or local law;

7 “(ii) the relief is necessary to correct the
8 violation of a Federal right; and

9 “(iii) no other relief will correct the viola-
10 tion of the Federal right.

11 “(C) Nothing in this section shall be construed
12 to authorize the courts, in exercising their remedial
13 powers, to order the construction of prisons or the
14 raising of taxes, or to repeal or detract from other-
15 wise applicable limitations on the remedial powers of
16 the courts.

17 “(2) PRELIMINARY INJUNCTIVE RELIEF.—In
18 any civil action with respect to prison conditions, to
19 the extent otherwise authorized by law, the court
20 may enter a temporary restraining order or an order
21 for preliminary injunctive relief. Preliminary injunc-
22 tive relief must be narrowly drawn, extend no fur-
23 ther than necessary to correct the harm the court
24 finds requires preliminary relief, and be the least in-
25 trusive means necessary to correct that harm. The

1 court shall give substantial weight to any adverse
2 impact on public safety or the operation of a crimi-
3 nal justice system caused by the preliminary relief
4 and shall respect the principles of comity set out in
5 paragraph (1)(B) in tailoring any preliminary relief.
6 Preliminary injunctive relief shall automatically ex-
7 pire on the date that is 90 days after its entry, un-
8 less the court makes the findings required under
9 subsection (a)(1) for the entry of prospective relief
10 and makes the order final before the expiration of
11 the 90-day period.

12 “(3) PRISONER RELEASE ORDER.—(A) In any
13 civil action with respect to prison conditions, no pris-
14 oner release order shall be entered unless—

15 “(i) a court has previously entered an
16 order for less intrusive relief that has failed to
17 remedy the deprivation of the Federal right
18 sought to be remedied through the prisoner re-
19 lease order; and

20 “(ii) the defendant has had a reasonable
21 amount of time to comply with the previous
22 court orders.

23 “(B) In any civil action in Federal court with
24 respect to prison conditions, a prisoner release order
25 shall be entered only by a three-judge court in ac-

1 cordance with section 2284 of title 28, if the require-
2 ments of subparagraph (E) have been met.

3 “(C) A party seeking a prisoner release order in
4 Federal court shall file with any request for such re-
5 lief, a request for a three-judge court and materials
6 sufficient to demonstrate that the requirements of
7 subparagraph (A) have been met.

8 “(D) If the requirements under subparagraph
9 (A) have been met, a Federal judge before whom a
10 civil action with respect to prison conditions is pend-
11 ing who believes that a prison release order should
12 be considered may sua sponte request the convening
13 of a three-judge court to determine whether a pris-
14 oner release order should be entered.

15 “(E) The three-judge court shall enter a pris-
16 oner release order only if the court finds by clear
17 and convincing evidence that—

18 “(i) crowding is the primary cause of the
19 violation of a Federal right; and

20 “(ii) no other relief will remedy the viola-
21 tion of the Federal right.

22 “(F) Any State or local official or unit of gov-
23 ernment whose jurisdiction or function includes the
24 appropriation of funds for the construction, oper-
25 ation, or maintenance of program facilities, or the

1 prosecution or custody of persons who may be re-
2 leased from, or not admitted to, a prison as a result
3 of a prisoner release order shall have standing to op-
4 pose the imposition or continuation in effect of such
5 relief and to seek termination of such relief, and
6 shall have the right to intervene in any proceeding
7 relating to such relief.

8 “(b) TERMINATION OF RELIEF.—

9 “(1) TERMINATION OF PROSPECTIVE RELIEF.—

10 (A) In any civil action with respect to prison condi-
11 tions in which prospective relief is ordered, such re-
12 lief shall be terminable upon the motion of any party
13 or intervener—

14 “(i) 2 years after the date the court grant-
15 ed or approved the prospective relief;

16 “(ii) 1 year after the date the court has
17 entered an order denying termination of pro-
18 spective relief under this paragraph; or

19 “(iii) in the case of an order issued on or
20 before the date of enactment of the Prison Liti-
21 gation Reform Act, 2 years after such date of
22 enactment.

23 “(B) Nothing in this section shall prevent the
24 parties from agreeing to terminate or modify relief

1 before the relief is terminated under subparagraph
2 (A).

3 “(2) IMMEDIATE TERMINATION OF PROSPECTIVE
4 RELIEF.—In any civil action with respect to
5 prison conditions, a defendant or intervener shall be
6 entitled to the immediate termination of any pro-
7 spective relief if the relief was approved or granted
8 in the absence of a finding by the court that the re-
9 lief is narrowly drawn, extends no further than nec-
10 essary to correct the violation of the Federal right,
11 and is the least intrusive means necessary to correct
12 the violation of the Federal right.

13 “(3) LIMITATION.—Prospective relief shall not
14 terminate if the court makes written findings based
15 on the record that prospective relief remains nec-
16 essary to correct a current or ongoing violation of
17 the Federal right, extends no further than necessary
18 to correct the violation of the Federal right, and
19 that the prospective relief is narrowly drawn and the
20 least intrusive means to correct the violation.

21 “(4) TERMINATION OR MODIFICATION OF RE-
22 LIEF.—Nothing in this section shall prevent any
23 party or intervener from seeking modification or ter-
24 mination before the relief is terminable under para-

1 graph (1) or (2), to the extent that modification or
2 termination would otherwise be legally permissible.

3 “(c) SETTLEMENTS.—

4 “(1) CONSENT DECREES.—In any civil action
5 with respect to prison conditions, the court shall not
6 enter or approve a consent decree unless it complies
7 with the limitations on relief set forth in subsection
8 (a).

9 “(2) PRIVATE SETTLEMENT AGREEMENTS.—

10 (A) Nothing in this section shall preclude parties
11 from entering into a private settlement agreement
12 that does not comply with the limitations on relief
13 set forth in subsection (a), if the terms of that
14 agreement are not subject to court enforcement
15 other than the reinstatement of the civil proceeding
16 that the agreement settled.

17 “(B) Nothing in this section shall preclude any
18 party claiming that a private settlement agreement
19 has been breached from seeking in State court any
20 remedy available under State law.

21 “(d) STATE LAW REMEDIES.—The limitations on
22 remedies in this section shall not apply to relief entered
23 by a State court based solely upon claims arising under
24 State law.

1 “(e) PROCEDURE FOR MOTIONS AFFECTING PRO-
2 SPECTIVE RELIEF.—

3 “(1) GENERALLY.—The court shall promptly
4 rule on any motion to modify or terminate prospec-
5 tive relief in a civil action with respect to prison con-
6 ditions.

7 “(2) AUTOMATIC STAY.—Any prospective relief
8 subject to a pending motion shall be automatically
9 stayed during the period—

10 “(A)(i) beginning on the 30th day after
11 such motion is filed, in the case of a motion
12 made under paragraph (1) or (2) of subsection
13 (b); or

14 “(ii) beginning on the 180th day after such
15 motion is filed, in the case of a motion made
16 under any other law; and

17 “(B) ending on the date the court enters
18 a final order ruling on the motion.

19 “(f) SPECIAL MASTERS.—

20 “(1) IN GENERAL.—(A) In any civil action in a
21 Federal court with respect to prison conditions, the
22 court may appoint a special master who shall be dis-
23 interested and objective and who will give due regard
24 to the public safety, to conduct hearings on the
25 record and prepare proposed findings of fact.

1 “(B) The court shall appoint a special master
2 under this subsection during the remedial phase of
3 the action only upon a finding that the remedial
4 phase will be sufficiently complex to warrant the ap-
5 pointment.

6 “(2) APPOINTMENT.—(A) If the court deter-
7 mines that the appointment of a special master is
8 necessary, the court shall request that the defendant
9 institution and the plaintiff each submit a list of not
10 more than 5 persons to serve as a special master.

11 “(B) Each party shall have the opportunity to
12 remove up to 3 persons from the opposing party’s
13 list.

14 “(C) The court shall select the master from the
15 persons remaining on the list after the operation of
16 subparagraph (B).

17 “(3) INTERLOCUTORY APPEAL.—Any party
18 shall have the right to an interlocutory appeal of the
19 judge’s selection of the special master under this
20 subsection, on the ground of partiality.

21 “(4) COMPENSATION.—The compensation to be
22 allowed to a special master under this section shall
23 be based on an hourly rate not greater than the
24 hourly rate established under section 3006A for pay-
25 ment of court-appointed counsel, plus costs reason-

1 ably incurred by the special master. Such compensa-
2 tion and costs shall be paid with funds appropriated
3 to the Judiciary.

4 “(5) REGULAR REVIEW OF APPOINTMENT.—In
5 any civil action with respect to prison conditions in
6 which a special master is appointed under this sub-
7 section, the court shall review the appointment of
8 the special master every 6 months to determine
9 whether the services of the special master continue
10 to be required under paragraph (1). In no event
11 shall the appointment of a special master extend be-
12 yond the termination of the relief.

13 “(6) LIMITATIONS ON POWERS AND DUTIES.—
14 A special master appointed under this subsection—

15 “(A) may be authorized by a court to con-
16 duct hearings and prepare proposed findings of
17 fact, which shall be made on the record;

18 “(B) shall not make any findings or com-
19 munications ex parte;

20 “(C) may be authorized by a court to as-
21 sist in the development of remedial plans; and

22 “(D) may be removed at any time, but
23 shall be relieved of the appointment upon the
24 termination of relief.

25 “(g) DEFINITIONS.—As used in this section—

1 “(1) the term ‘consent decree’ means any relief
2 entered by the court that is based in whole or in
3 part upon the consent or acquiescence of the parties
4 but does not include private settlements;

5 “(2) the term ‘civil action with respect to prison
6 conditions’ means any civil proceeding arising under
7 Federal law with respect to the conditions of con-
8 finement or the effects of actions by government of-
9 ficials on the lives of persons confined in prison, but
10 does not include habeas corpus proceedings challeng-
11 ing the fact or duration of confinement in prison;

12 “(3) the term ‘prisoner’ means any person sub-
13 ject to incarceration, detention, or admission to any
14 facility who is accused of, convicted of, sentenced
15 for, or adjudicated delinquent for, violations of
16 criminal law or the terms and conditions of parole,
17 probation, pretrial release, or diversionary program;

18 “(4) the term ‘prisoner release order’ includes
19 any order, including a temporary restraining order
20 or preliminary injunctive relief, that has the purpose
21 or effect of reducing or limiting the prison popu-
22 lation, or that directs the release from or
23 nonadmission of prisoners to a prison;

24 “(5) the term ‘prison’ means any Federal,
25 State, or local facility that incarcerates or detains

1 juveniles or adults accused of, convicted of, sen-
2 tenced for, or adjudicated delinquent for, violations
3 of criminal law;

4 “(6) the term ‘private settlement agreement’
5 means an agreement entered into among the parties
6 that is not subject to judicial enforcement other than
7 the reinstatement of the civil proceeding that the
8 agreement settled;

9 “(7) the term ‘prospective relief’ means all re-
10 lief other than compensatory monetary damages;

11 “(8) the term ‘special master’ means any per-
12 son appointed by a Federal court pursuant to Rule
13 53 of the Federal Rules of Civil Procedure or pursu-
14 ant to any inherent power of the court to exercise
15 the powers of a master, regardless of the title or de-
16 scription given by the court; and

17 “(9) the term ‘relief’ means all relief in any
18 form that may be granted or approved by the court,
19 and includes consent decrees but does not include
20 private settlement agreements.”.

21 (b) APPLICATION OF AMENDMENT.—

22 (1) IN GENERAL.—Section 3626 of title 18,
23 United States Code, as amended by this section,
24 shall apply with respect to all prospective relief
25 whether such relief was originally granted or ap-

1 proved before, on, or after the date of the enactment
2 of this title.

3 (2) TECHNICAL AMENDMENT.—Subsections (b)
4 and (d) of section 20409 of the Violent Crime Con-
5 trol and Law Enforcement Act of 1994 are repealed.

6 (c) CLERICAL AMENDMENT.—The table of sections
7 at the beginning of subchapter C of chapter 229 of title
8 18, United States Code, is amended to read as follows:
“3626. Appropriate remedies with respect to prison conditions.”.

9 **SEC. 803. AMENDMENTS TO CIVIL RIGHTS OF INSTITU-**
10 **TIONALIZED PERSONS ACT.**

11 (a) INITIATION OF CIVIL ACTIONS.—Section 3(c) of
12 the Civil Rights of Institutionalized Persons Act (42
13 U.S.C. 1997a(c)) (referred to in this section as the “Act”)
14 is amended to read as follows:

15 “(c) The Attorney General shall personally sign any
16 complaint filed pursuant to this section.”.

17 (b) CERTIFICATION REQUIREMENTS.—Section 4 of
18 the Act (42 U.S.C. 1997b) is amended—

19 (1) in subsection (a)—

20 (A) by striking “he” each place it appears
21 and inserting “the Attorney General”; and

22 (B) by striking “his” and inserting “the
23 Attorney General’s”; and

24 (2) by amending subsection (b) to read as fol-
25 lows:

1 “(b) The Attorney General shall personally sign any
2 certification made pursuant to this section.”.

3 (c) INTERVENTION IN ACTIONS.—Section 5 of the
4 Act (42 U.S.C. 1997c) is amended—

5 (1) in subsection (b)—

6 (A) in paragraph (1), by striking “he”
7 each place it appears and inserting “the Attor-
8 ney General”; and

9 (B) by amending paragraph (2) to read as
10 follows:

11 “(2) The Attorney General shall personally sign any
12 certification made pursuant to this section.”; and

13 (2) by amending subsection (c) to read as fol-
14 lows:

15 “(c) The Attorney General shall personally sign any
16 motion to intervene made pursuant to this section.”.

17 (d) SUITS BY PRISONERS.—Section 7 of the Act (42
18 U.S.C. 1997e) is amended to read as follows:

19 **“SEC. 7. SUITS BY PRISONERS.**

20 “(a) APPLICABILITY OF ADMINISTRATIVE REM-
21 EDIES.—No action shall be brought with respect to prison
22 conditions under section 1979 of the Revised Statutes of
23 the United States (42 U.S.C. 1983), or any other Federal
24 law, by a prisoner confined in any jail, prison, or other

1 correctional facility until such administrative remedies as
2 are available are exhausted.

3 “(b) FAILURE OF STATE TO ADOPT OR ADHERE TO
4 ADMINISTRATIVE GRIEVANCE PROCEDURE.—The failure
5 of a State to adopt or adhere to an administrative griev-
6 ance procedure shall not constitute the basis for an action
7 under section 3 or 5 of this Act.

8 “(c) DISMISSAL.—(1) The court shall on its own mo-
9 tion or on the motion of a party dismiss any action
10 brought with respect to prison conditions under section
11 1979 of the Revised Statutes of the United States (42
12 U.S.C. 1983), or any other Federal law, by a prisoner con-
13 fined in any jail, prison, or other correctional facility if
14 the court is satisfied that the action is frivolous, malicious,
15 fails to state a claim upon which relief can be granted,
16 or seeks monetary relief from a defendant who is immune
17 from such relief.

18 “(2) In the event that a claim is, on its face, frivolous,
19 malicious, fails to state a claim upon which relief can be
20 granted, or seeks monetary relief from a defendant who
21 is immune from such relief, the court may dismiss the un-
22 derlying claim without first requiring the exhaustion of ad-
23 ministrative remedies.

24 “(d) ATTORNEY’S FEES.—(1) In any action brought
25 by a prisoner who is confined to any jail, prison, or other

1 correctional facility, in which attorney’s fees are author-
2 ized under section 2 of the Revised Statutes of the United
3 States (42 U.S.C. 1988), such fees shall not be awarded,
4 except to the extent that—

5 “(A) the fee was directly and reasonably in-
6 curred in proving an actual violation of the plain-
7 tiff’s rights protected by a statute pursuant to which
8 a fee may be awarded under section 2 of the Revised
9 Statutes; and

10 “(B)(i) the amount of the fee is proportionately
11 related to the court ordered relief for the violation;
12 or

13 “(ii) the fee was directly and reasonably in-
14 curred in enforcing the relief ordered for the viola-
15 tion.

16 “(2) Whenever a monetary judgment is awarded in
17 an action described in paragraph (1), a portion of the
18 judgment (not to exceed 25 percent) shall be applied to
19 satisfy the amount of attorney’s fees awarded against the
20 defendant. If the award of attorney’s fees is not greater
21 than 150 percent of the judgment, the excess shall be paid
22 by the defendant.

23 “(3) No award of attorney’s fees in an action de-
24 scribed in paragraph (1) shall be based on an hourly rate
25 greater than 150 percent of the hourly rate established

1 under section 3006A of title 18, United States Code, for
2 payment of court-appointed counsel.

3 “(4) Nothing in this subsection shall prohibit a pris-
4 oner from entering into an agreement to pay an attorney’s
5 fee in an amount greater than the amount authorized
6 under this subsection, if the fee is paid by the individual
7 rather than by the defendant pursuant to section 2 of the
8 Revised Statutes of the United States (42 U.S.C. 1988).

9 “(e) LIMITATION ON RECOVERY.—No Federal civil
10 action may be brought by a prisoner confined in a jail,
11 prison, or other correctional facility, for mental or emo-
12 tional injury suffered while in custody without a prior
13 showing of physical injury.

14 “(f) HEARINGS.—(1) To the extent practicable, in
15 any action brought with respect to prison conditions in
16 Federal court pursuant to section 1979 of the Revised
17 Statutes of the United States (42 U.S.C. 1983), or any
18 other Federal law, by a prisoner confined in any jail, pris-
19 on, or other correctional facility, pretrial proceedings in
20 which the prisoner’s participation is required or permitted
21 shall be conducted by telephone, video conference, or other
22 telecommunications technology without removing the pris-
23 oner from the facility in which the prisoner is confined.

24 “(2) Subject to the agreement of the official of the
25 Federal, State, or local unit of government with custody

1 over the prisoner, hearings may be conducted at the facil-
2 ity in which the prisoner is confined. To the extent prac-
3 ticable, the court shall allow counsel to participate by tele-
4 phone, video conference, or other communications tech-
5 nology in any hearing held at the facility.

6 “(g) WAIVER OF REPLY.—(1) Any defendant may
7 waive the right to reply to any action brought by a pris-
8 oner confined in any jail, prison, or other correctional fa-
9 cility under section 1979 of the Revised Statutes of the
10 United States (42 U.S.C. 1983) or any other Federal law.
11 Notwithstanding any other law or rule of procedure, such
12 waiver shall not constitute an admission of the allegations
13 contained in the complaint. No relief shall be granted to
14 the plaintiff unless a reply has been filed.

15 “(2) The court may require any defendant to reply
16 to a complaint brought under this section if it finds that
17 the plaintiff has a reasonable opportunity to prevail on the
18 merits.

19 “(h) DEFINITION.—As used in this section, the term
20 ‘prisoner’ means any person incarcerated or detained in
21 any facility who is accused of, convicted of, sentenced for,
22 or adjudicated delinquent for, violations of criminal law
23 or the terms and conditions of parole, probation, pretrial
24 release, or diversionary program.”.

1 (e) REPORT TO CONGRESS.—Section 8 of the Act (42
2 U.S.C. 1997f) is amended by striking “his report” and
3 inserting “the report”.

4 (f) NOTICE TO FEDERAL DEPARTMENTS.—Section
5 10 of the Act (42 U.S.C. 1997h) is amended—

6 (1) by striking “his action” and inserting “the
7 action”; and

8 (2) by striking “he is satisfied” and inserting
9 “the Attorney General is satisfied”.

10 **SEC. 804. PROCEEDINGS IN FORMA PAUPERIS.**

11 (a) FILING FEES.—Section 1915 of title 28, United
12 States Code, is amended—

13 (1) in subsection (a)—

14 (A) by striking “(a) Any” and inserting
15 “(a)(1) Subject to subsection (b), any”;

16 (B) by striking “and costs”;

17 (C) by striking “makes affidavit” and in-
18 serting “submits an affidavit that includes a
19 statement of all assets such prisoner possesses”;

20 (D) by striking “such costs” and inserting
21 “such fees”;

22 (E) by striking “he” each place it appears
23 and inserting “the person”;

24 (F) by adding immediately after paragraph
25 (1), the following new paragraph:

1 “(2) A prisoner seeking to bring a civil action or ap-
2 peal a judgment in a civil action or proceeding without
3 prepayment of fees or security therefor, in addition to fil-
4 ing the affidavit filed under paragraph (1), shall submit
5 a certified copy of the trust fund account statement (or
6 institutional equivalent) for the prisoner for the 6-month
7 period immediately preceding the filing of the complaint
8 or notice of appeal, obtained from the appropriate official
9 of each prison at which the prisoner is or was confined.”;
10 and

11 (G) by striking “An appeal” and inserting
12 “(3) An appeal”;

13 (2) by redesignating subsections (b), (c), (d),
14 and (e) as subsections (c), (d), (e), and (f), respec-
15 tively;

16 (3) by inserting after subsection (a) the follow-
17 ing new subsection:

18 “(b)(1) Notwithstanding subsection (a), if a prisoner
19 brings a civil action or files an appeal in forma pauperis,
20 the prisoner shall be required to pay the full amount of
21 a filing fee. The court shall assess and, when funds exist,
22 collect, as a partial payment of any court fees required
23 by law, an initial partial filing fee of 20 percent of the
24 greater of—

1 “(A) the average monthly deposits to the pris-
2 oner’s account; or

3 “(B) the average monthly balance in the pris-
4 oner’s account for the 6-month period immediately
5 preceding the filing of the complaint or notice of ap-
6 peal.

7 “(2) After payment of the initial partial filing fee,
8 the prisoner shall be required to make monthly payments
9 of 20 percent of the preceding month’s income credited
10 to the prisoner’s account. The agency having custody of
11 the prisoner shall forward payments from the prisoner’s
12 account to the clerk of the court each time the amount
13 in the account exceeds \$10 until the filing fees are paid.

14 “(3) In no event shall the filing fee collected exceed
15 the amount of fees permitted by statute for the commence-
16 ment of a civil action or an appeal of a civil action or
17 criminal judgment.

18 “(4) In no event shall a prisoner be prohibited from
19 bringing a civil action or appealing a civil or criminal judg-
20 ment for the reason that the prisoner has no assets and
21 no means by which to pay the initial partial filing fee.”;

22 (4) in subsection (c), as redesignated by para-
23 graph (2), by striking “subsection (a) of this sec-
24 tion” and inserting “subsections (a) and (b) and the

1 prepayment of any partial filing fee as may be re-
2 quired under subsection (b)”; and

3 (5) by amending subsection (e), as redesignated
4 by paragraph (2), to read as follows:

5 “(e)(1) The court may request an attorney to rep-
6 resent any person unable to afford counsel.

7 “(2) Notwithstanding any filing fee, or any portion
8 thereof, that may have been paid, the court shall dismiss
9 the case at any time if the court determines that—

10 “(A) the allegation of poverty is untrue; or

11 “(B) the action or appeal—

12 “(i) is frivolous or malicious;

13 “(ii) fails to state a claim on which relief
14 may be granted; or

15 “(iii) seeks monetary relief against a de-
16 fendant who is immune from such relief.”.

17 (b) EXCEPTION TO DISCHARGE OF DEBT IN BANK-
18 RUPTCY PROCEEDING.—Section 523(a) of title 11, United
19 States Code, is amended—

20 (1) in paragraph (16), by striking the period at
21 the end and inserting “; or”; and

22 (2) by adding at the end the following new
23 paragraph:

24 “(17) for a fee imposed by a court for the filing
25 of a case, motion, complaint, or appeal, or for other

1 costs and expenses assessed with respect to such fil-
2 ing, regardless of an assertion of poverty by the
3 debtor under section 1915 (b) or (f) of title 28, or
4 the debtor's status as a prisoner, as defined in sec-
5 tion 1915(h) of title 28.”.

6 (c) COSTS.—Section 1915(f) of title 28, United
7 States Code (as redesignated by subsection (a)(2)), is
8 amended—

9 (1) by striking “(f) Judgment” and inserting
10 “(f)(1) Judgment”;

11 (2) by striking “cases” and inserting “proceed-
12 ings”; and

13 (3) by adding at the end the following new
14 paragraph:

15 “(2)(A) If the judgment against a prisoner includes
16 the payment of costs under this subsection, the prisoner
17 shall be required to pay the full amount of the costs or-
18 dered.

19 “(B) The prisoner shall be required to make pay-
20 ments for costs under this subsection in the same manner
21 as is provided for filing fees under subsection (a)(2).

22 “(C) In no event shall the costs collected exceed the
23 amount of the costs ordered by the court.”.

1 (d) SUCCESSIVE CLAIMS.—Section 1915 of title 28,
2 United States Code, is amended by adding at the end the
3 following new subsection:

4 “(g) In no event shall a prisoner bring a civil action
5 or appeal a judgment in a civil action or proceeding under
6 this section if the prisoner has, on 3 or more prior occa-
7 sions, while incarcerated or detained in any facility,
8 brought an action or appeal in a court of the United
9 States that was dismissed on the grounds that it is frivo-
10 lous, malicious, or fails to state a claim upon which relief
11 may be granted, unless the prisoner is under imminent
12 danger of serious physical injury.”.

13 (e) DEFINITION.—Section 1915 of title 28, United
14 States Code, is amended by adding at the end the follow-
15 ing new subsection:

16 “(h) As used in this section, the term ‘prisoner’
17 means any person incarcerated or detained in any facility
18 who is accused of, convicted of, sentenced for, or adju-
19 dicated delinquent for, violations of criminal law or the
20 terms and conditions of parole, probation, pretrial release,
21 or diversionary program.”.

22 **SEC. 805. JUDICIAL SCREENING.**

23 (a) IN GENERAL.—Chapter 123 of title 28, United
24 States Code, is amended by inserting after section 1915
25 the following new section:

1 **“§ 1915A. Screening**

2 “(a) SCREENING.—The court shall review, before
3 docketing, if feasible or, in any event, as soon as prac-
4 ticable after docketing, a complaint in a civil action in
5 which a prisoner seeks redress from a governmental entity
6 or officer or employee of a governmental entity.

7 “(b) GROUNDS FOR DISMISSAL.—On review, the
8 court shall identify cognizable claims or dismiss the com-
9 plaint, or any portion of the complaint, if the complaint—

10 “(1) is frivolous, malicious, or fails to state a
11 claim upon which relief may be granted; or

12 “(2) seeks monetary relief from a defendant
13 who is immune from such relief.

14 “(c) DEFINITION.—As used in this section, the term
15 ‘prisoner’ means any person incarcerated or detained in
16 any facility who is accused of, convicted of, sentenced for,
17 or adjudicated delinquent for, violations of criminal law
18 or the terms and conditions of parole, probation, pretrial
19 release, or diversionary program.”.

20 (b) TECHNICAL AMENDMENT.—The analysis for
21 chapter 123 of title 28, United States Code, is amended
22 by inserting after the item relating to section 1915 the
23 following new item:

“1915A. Screening.”.

1 **SEC. 806. FEDERAL TORT CLAIMS.**

2 Section 1346(b) of title 28, United States Code, is
3 amended—

4 (1) by striking “(b)” and inserting “(b)(1)”;

5 and

6 (2) by adding at the end the following:

7 “(2) No person convicted of a felony who is incarcer-
8 ated while awaiting sentencing or while serving a sentence
9 may bring a civil action against the United States or an
10 agency, officer, or employee of the Government, for mental
11 or emotional injury suffered while in custody without a
12 prior showing of physical injury.”.

13 **SEC. 807. PAYMENT OF DAMAGE AWARD IN SATISFACTION**
14 **OF PENDING RESTITUTION ORDERS.**

15 Any compensatory damages awarded to a prisoner in
16 connection with a civil action brought against any Federal,
17 State, or local jail, prison, or correctional facility or
18 against any official or agent of such jail, prison, or correc-
19 tional facility, shall be paid directly to satisfy any out-
20 standing restitution orders pending against the prisoner.
21 The remainder of any such award after full payment of
22 all pending restitution orders shall be forwarded to the
23 prisoner.

1 **SEC. 808. NOTICE TO CRIME VICTIMS OF PENDING DAMAGE**

2 **AWARD.**

3 Prior to payment of any compensatory damages
4 awarded to a prisoner in connection with a civil action
5 brought against any Federal, State, or local jail, prison,
6 or correctional facility or against any official or agent of
7 such jail, prison, or correctional facility, reasonable efforts
8 shall be made to notify the victims of the crime for which
9 the prisoner was convicted and incarcerated concerning
10 the pending payment of any such compensatory damages.

11 **SEC. 809. EARNED RELEASE CREDIT OR GOOD TIME CRED-**

12 **IT REVOCATION.**

13 (a) IN GENERAL.—Chapter 123 of title 28, United
14 States Code, is amended by adding at the end the follow-
15 ing new section:

16 **“§ 1932. Revocation of earned release credit**

17 “In any civil action brought by an adult convicted of
18 a crime and confined in a Federal correctional facility, the
19 court may order the revocation of such earned good time
20 credit under section 3624(b) of title 18, United States
21 Code, that has not yet vested, if, on its own motion or
22 the motion of any party, the court finds that—

23 “(1) the claim was filed for a malicious pur-
24 pose;

25 “(2) the claim was filed solely to harass the
26 party against which it was filed; or

1 “(3) the claimant testifies falsely or otherwise
2 knowingly presents false evidence or information to
3 the court.”.

4 (b) TECHNICAL AMENDMENT.—The analysis for
5 chapter 123 of title 28, United States Code, is amended
6 by inserting after the item relating to section 1931 the
7 following:

 “1932. Revocation of earned release credit.”.

8 (c) AMENDMENT OF SECTION 3624 OF TITLE 18.—
9 Section 3624(b) of title 18, United States Code, is amend-
10 ed—

11 (1) in paragraph (1)—

12 (A) by striking the first sentence;

13 (B) in the second sentence—

14 (i) by striking “A prisoner” and in-
15 serting “Subject to paragraph (2), a pris-
16 oner”;

17 (ii) by striking “for a crime of vio-
18 lence,”; and

19 (iii) by striking “such”;

20 (C) in the third sentence, by striking “If
21 the Bureau” and inserting “Subject to para-
22 graph (2), if the Bureau”;

23 (D) by striking the fourth sentence and in-
24 serting the following: “In awarding credit under
25 this section, the Bureau shall consider whether

1 the prisoner, during the relevant period, has
2 earned, or is making satisfactory progress to-
3 ward earning, a high school diploma or an
4 equivalent degree.”; and

5 (E) in the sixth sentence, by striking
6 “Credit for the last” and inserting “Subject to
7 paragraph (2), credit for the last”; and

8 (2) by amending paragraph (2) to read as fol-
9 lows:

10 “(2) Notwithstanding any other law, credit
11 awarded under this subsection after the date of en-
12 actment of the Prison Litigation Reform Act shall
13 vest on the date the prisoner is released from cus-
14 tody.”.

15 **SEC. 810. SEVERABILITY.**

16 If any provision of this title, an amendment made by
17 this title, or the application of such provision or amend-
18 ment to any person or circumstance is held to be unconsti-
19 tutional, the remainder of this title, the amendments made
20 by this title, and the application of the provisions of such
21 to any person or circumstance shall not be affected there-
22 by.

23 This Act may be cited as the “Departments of Com-
24 merce, Justice, and State, the Judiciary, and Related
25 Agencies Appropriations Act, 1996.”.

1 (b) Such amounts as may be necessary for programs,
2 projects or activities provided for in the Department of
3 the Interior and Related Agencies Appropriations Act,
4 1996, at a rate of operations and to the extent and in
5 the manner provided for, the provisions of such Act to be
6 effective as if it had been enacted into law as the regular
7 appropriations Act, as follows:

8 AN ACT

9 Making appropriations for the Department of the In-
10 terior and related agencies for the fiscal year ending Sep-
11 tember 30, 1996, and for other purposes.

12 TITLE I—DEPARTMENT OF THE INTERIOR

13 BUREAU OF LAND MANAGEMENT

14 MANAGEMENT OF LANDS AND RESOURCES

15 For expenses necessary for protection, use, improve-
16 ment, development, disposal, cadastral surveying, classi-
17 fication, acquisition of easements and other interests in
18 lands, and performance of other functions, including main-
19 tenance of facilities, as authorized by law, in the manage-
20 ment of lands and their resources under the jurisdiction
21 of the Bureau of Land Management, including the general
22 administration of the Bureau, and assessment of mineral
23 potential of public lands pursuant to Public Law 96–487
24 (16 U.S.C. 3150(a)), \$567,152,000, to remain available
25 until expended, of which \$2,000,000 shall be available for

1 assessment of the mineral potential of public lands in
2 Alaska pursuant to section 1010 of Public Law 96–487
3 (16 U.S.C. 3150), and of which not more than \$599,999
4 shall be available to the Needles Resources Area for the
5 management of the East Mojave National Scenic Area, as
6 defined by the Bureau of Land Management prior to Octo-
7 ber 1, 1994, in the California Desert District of the Bu-
8 reau of Land Management, and of which \$4,000,000 shall
9 be derived from the special receipt account established by
10 section 4 of the Land and Water Conservation Fund Act
11 of 1965, as amended (16 U.S.C. 460l–6a(i)): *Provided*,
12 That appropriations herein made shall not be available for
13 the destruction of healthy, unadopted, wild horses and
14 burros in the care of the Bureau or its contractors; and
15 in addition, \$27,650,000 for Mining Law Administration
16 program operations, to remain available until expended,
17 to be reduced by amounts collected by the Bureau of Land
18 Management and credited to this appropriation from an-
19 nual mining claim fees so as to result in a final appropria-
20 tion estimated at not more than \$567,152,000: *Provided*
21 *further*, That in addition to funds otherwise available, and
22 to remain available until expended, not to exceed
23 \$5,000,000 from annual mining claim fees shall be cred-
24 ited to this account for the costs of administering the min-

1 ing claim fee program, and \$2,000,000 from communica-
2 tion site rental fees established by the Bureau.

3 WILDLAND FIRE MANAGEMENT

4 For necessary expenses for fire use and management,
5 fire preparedness, emergency presuppression, suppression
6 operations, emergency rehabilitation, and renovation or
7 construction of fire facilities in the Department of the In-
8 terior, \$235,924,000, to remain available until expended,
9 of which not to exceed \$5,025,000, shall be available for
10 the renovation or construction of fire facilities: *Provided*,
11 That notwithstanding any other provision of law, persons
12 hired pursuant to 43 U.S.C. 1469 may be furnished sub-
13 sistence and lodging without cost from funds available
14 from this appropriation: *Provided further*, That such funds
15 are also available for repayment of advances to other ap-
16 propriation accounts from which funds were previously
17 transferred for such purposes: *Provided further*, That un-
18 obligated balances of amounts previously appropriated to
19 the Fire Protection and Emergency Department of the In-
20 terior Firefighting Fund may be transferred or merged
21 with this appropriation.

22 CENTRAL HAZARDOUS MATERIALS FUND

23 For expenses necessary for use by the Department
24 of the Interior and any of its component offices and bu-
25 reaus for the remedial action, including associated activi-
26 ties, of hazardous waste substances, pollutants, or con-

1 taminants pursuant to the Comprehensive Environmental
2 Response, Compensation and Liability Act, as amended
3 (42 U.S.C. 9601 et seq.), \$10,000,000, to remain available
4 until expended: *Provided*, That, notwithstanding 31
5 U.S.C. 3302, sums recovered from or paid by a party in
6 advance of or as reimbursement for remedial action or re-
7 sponse activities conducted by the Department pursuant
8 to sections 107 or 113(f) of the Comprehensive Environ-
9 mental Response, Compensation and Liability Act, as
10 amended (42 U.S.C. 9607 or 9613(f)), shall be credited
11 to this account and shall be available without further ap-
12 propriation and shall remain available until expended: *Pro-*
13 *vided further*, That such sums recovered from or paid by
14 any party are not limited to monetary payments and may
15 include stocks, bonds or other personal or real property,
16 which may be retained, liquidated, or otherwise disposed
17 of by the Secretary of the Interior and which shall be cred-
18 ited to this account.

19 CONSTRUCTION AND ACCESS

20 For acquisition of lands and interests therein, and
21 construction of buildings, recreation facilities, roads,
22 trails, and appurtenant facilities, \$3,115,000, to remain
23 available until expended.

24 PAYMENTS IN LIEU OF TAXES

25 For expenses necessary to implement the Act of Octo-
26 ber 20, 1976, as amended (31 U.S.C. 6901–07),

1 \$101,500,000, of which not to exceed \$400,000 shall be
2 available for administrative expenses.

3 LAND ACQUISITION

4 For expenses necessary to carry out the provisions
5 of sections 205, 206, and 318(d) of Public Law 94–579
6 including administrative expenses and acquisition of lands
7 or waters, or interests therein, \$12,800,000 to be derived
8 from the Land and Water Conservation Fund, to remain
9 available until expended.

10 OREGON AND CALIFORNIA GRANT LANDS

11 For expenses necessary for management, protection,
12 and development of resources and for construction, oper-
13 ation, and maintenance of access roads, reforestation, and
14 other improvements on the revested Oregon and California
15 Railroad grant lands, on other Federal lands in the Or-
16 egon and California land-grant counties of Oregon, and
17 on adjacent rights-of-way; and acquisition of lands or in-
18 terests therein including existing connecting roads on or
19 adjacent to such grant lands; \$93,379,000, to remain
20 available until expended: *Provided*, That 25 per centum
21 of the aggregate of all receipts during the current fiscal
22 year from the revested Oregon and California Railroad
23 grant lands is hereby made a charge against the Oregon
24 and California land-grant fund and shall be transferred
25 to the General Fund in the Treasury in accordance with

1 the provisions of the second paragraph of subsection (b)
2 of title II of the Act of August 28, 1937 (50 Stat. 876).

3 RANGE IMPROVEMENTS

4 For rehabilitation, protection, and acquisition of
5 lands and interests therein, and improvement of Federal
6 rangelands pursuant to section 401 of the Federal Land
7 Policy and Management Act of 1976 (43 U.S.C. 1701),
8 notwithstanding any other Act, sums equal to 50 per cen-
9 tum of all moneys received during the prior fiscal year
10 under sections 3 and 15 of the Taylor Grazing Act (43
11 U.S.C. 315 et seq.) and the amount designated for range
12 improvements from grazing fees and mineral leasing re-
13 ceipts from Bankhead-Jones lands transferred to the De-
14 partment of the Interior pursuant to law, but not less than
15 \$9,113,000, to remain available until expended: *Provided*,
16 That not to exceed \$600,000 shall be available for admin-
17 istrative expenses.

18 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

19 For administrative expenses and other costs related
20 to processing application documents and other authoriza-
21 tions for use and disposal of public lands and resources,
22 for costs of providing copies of official public land docu-
23 ments, for monitoring construction, operation, and termi-
24 nation of facilities in conjunction with use authorizations,
25 and for rehabilitation of damaged property, such amounts
26 as may be collected under sections 209(b), 304(a), 304(b),

1 305(a), and 504(g) of the Act approved October 21, 1976
2 (43 U.S.C. 1701), and sections 101 and 203 of Public
3 Law 93-153, to be immediately available until expended:
4 *Provided*, That notwithstanding any provision to the con-
5 trary of section 305(a) of the Act of October 21, 1976
6 (43 U.S.C. 1735(a)), any moneys that have been or will
7 be received pursuant to that section, whether as a result
8 of forfeiture, compromise, or settlement, if not appropriate
9 for refund pursuant to section 305(c) of that Act (43
10 U.S.C. 1735(c)), shall be available and may be expended
11 under the authority of this or subsequent appropriations
12 Acts by the Secretary to improve, protect, or rehabilitate
13 any public lands administered through the Bureau of
14 Land Management which have been damaged by the ac-
15 tion of a resource developer, purchaser, permittee, or any
16 unauthorized person, without regard to whether all mon-
17 eys collected from each such forfeiture, compromise, or
18 settlement are used on the exact lands damage to which
19 led to the forfeiture, compromise, or settlement: *Provided*
20 *further*, That such moneys are in excess of amounts need-
21 ed to repair damage to the exact land for which collected.

22 MISCELLANEOUS TRUST FUNDS

23 In addition to amounts authorized to be expended
24 under existing law, there is hereby appropriated such
25 amounts as may be contributed under section 307 of the
26 Act of October 21, 1976 (43 U.S.C. 1701), and such

1 amounts as may be advanced for administrative costs, sur-
2 veys, appraisals, and costs of making conveyances of omit-
3 ted lands under section 211(b) of that Act, to remain
4 available until expended.

5 ADMINISTRATIVE PROVISIONS

6 Appropriations for the Bureau of Land Management
7 shall be available for purchase, erection, and dismantling
8 ment of temporary structures, and alteration and mainte-
9 nance of necessary buildings and appurtenant facilities to
10 which the United States has title; up to \$100,000 for pay-
11 ments, at the discretion of the Secretary, for information
12 or evidence concerning violations of laws administered by
13 the Bureau of Land Management; miscellaneous and
14 emergency expenses of enforcement activities authorized
15 or approved by the Secretary and to be accounted for sole-
16 ly on his certificate, not to exceed \$10,000: *Provided*, That
17 notwithstanding 44 U.S.C. 501, the Bureau may, under
18 cooperative cost-sharing and partnership arrangements
19 authorized by law, procure printing services from coopera-
20 tors in connection with jointly-produced publications for
21 which the cooperators share the cost of printing either in
22 cash or in services, and the Bureau determines the co-
23 operator is capable of meeting accepted quality standards.

1 UNITED STATES FISH AND WILDLIFE SERVICE
2 RESOURCE MANAGEMENT

3 For expenses necessary for scientific and economic
4 studies, conservation, management, investigations, protec-
5 tion, and utilization of fishery and wildlife resources, ex-
6 cept whales, seals, and sea lions, and for the performance
7 of other authorized functions related to such resources; for
8 the general administration of the United States Fish and
9 Wildlife Service; and for maintenance of the herd of long-
10 horned cattle on the Wichita Mountains Wildlife Refuge;
11 and not less than \$1,000,000 for high priority projects
12 within the scope of the approved budget which shall be
13 carried out by the Youth Conservation Corps as author-
14 ized by the Act of August 13, 1970, as amended by Public
15 Law 93-408, \$497,670,000, to remain available for obli-
16 gation until September 30, 1997, of which \$11,557,000
17 shall be available until expended for operation and mainte-
18 nance of fishery mitigation facilities constructed by the
19 Corps of Engineers under the Lower Snake River Com-
20 pensation Plan, authorized by the Water Resources Devel-
21 opment Act of 1976 (90 Stat. 2921), to compensate for
22 loss of fishery resources from water development projects
23 on the Lower Snake River: *Provided*, That unobligated
24 and unexpended balances in the Resource Management ac-
25 count at the end of fiscal year 1995, shall be merged with

1 and made a part of the fiscal year 1996 Resource Manage-
2 ment appropriation, and shall remain available for obliga-
3 tion until September 30, 1997: *Provided further*, That no
4 monies appropriated under this Act or any other law shall
5 be used to implement subsections (a), (b), (c), (e), (g),
6 or (i) of section 4 of the Endangered Species Act of 1973
7 (16 U.S.C. 1533), until such time as legislation reauthor-
8 izing the Act is enacted or until the end of fiscal year
9 1996, whichever is earlier, except that monies appro-
10 priated under this Act may be used to delist or reclassify
11 species pursuant to subsections 4(a)(2)(B), 4(c)(2)(B)(i),
12 and 4(c)(2)(B)(ii) of the Act.

13 CONSTRUCTION

14 For construction and acquisition of buildings and
15 other facilities required in the conservation, management,
16 investigation, protection, and utilization of fishery and
17 wildlife resources, and the acquisition of lands and inter-
18 ests therein; \$37,655,000, to remain available until ex-
19 pended.

20 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

21 To conduct natural resource damage assessment ac-
22 tivities by the Department of the Interior necessary to
23 carry out the provisions of the Comprehensive Environ-
24 mental Response, Compensation, and Liability Act, as
25 amended (42 U.S.C. 9601, et seq.), Federal Water Pollu-
26 tion Control Act, as amended (33 U.S.C. 1251, et seq.),

1 the Oil Pollution Act of 1990 (Public Law 101–380), and
2 the Act of July 27, 1990 (Public Law 101–337);
3 \$4,000,000, to remain available until expended: *Provided*,
4 That sums provided by any party in fiscal year 1996 and
5 thereafter are not limited to monetary payments and may
6 include stocks, bonds or other personal or real property,
7 which may be retained, liquidated or otherwise disposed
8 of by the Secretary and such sums or properties shall be
9 utilized for the restoration of injured resources, and to
10 conduct new damage assessment activities.

11 LAND ACQUISITION

12 For expenses necessary to carry out the provisions
13 of the Land and Water Conservation Fund Act of 1965,
14 as amended (16 U.S.C. 4601–4–11), including administra-
15 tive expenses, and for acquisition of land or waters, or in-
16 terest therein, in accordance with statutory authority ap-
17 plicable to the United States Fish and Wildlife Service,
18 \$45,400,000, to be derived from the Land and Water Con-
19 servation Fund, to remain available until expended.

20 COOPERATIVE ENDANGERED SPECIES CONSERVATION

21 FUND

22 For expenses necessary to carry out the provisions
23 of the Endangered Species Act of 1973 (16 U.S.C. 1531–
24 1543), as amended by Public Law 100–478, \$8,085,000
25 for grants to States, to be derived from the Cooperative

1 Endangered Species Conservation Fund, and to remain
2 available until expended.

3 NATIONAL WILDLIFE REFUGE FUND

4 For expenses necessary to implement the Act of Octo-
5 ber 17, 1978 (16 U.S.C. 715s), \$10,779,000.

6 REWARDS AND OPERATIONS

7 For expenses necessary to carry out the provisions
8 of the African Elephant Conservation Act (16 U.S.C.
9 4201–4203, 4211–4213, 4221–4225, 4241–4245, and
10 1538), \$600,000, to remain available until expended.

11 NORTH AMERICAN WETLANDS CONSERVATION FUND

12 For expenses necessary to carry out the provisions
13 of the North American Wetlands Conservation Act, Public
14 Law 101–233, \$6,750,000, to remain available until ex-
15 pended.

16 LAHONTAN VALLEY AND PYRAMID LAKE FISH AND

17 WILDLIFE FUND

18 For carrying out section 206(f) of Public Law 101–
19 618, such sums as have previously been credited or may
20 be credited hereafter to the Lahontan Valley and Pyramid
21 Lake Fish and Wildlife Fund, to be available until ex-
22 pended without further appropriation.

23 RHINOCEROS AND TIGER CONSERVATION FUND

24 For deposit to the Rhinoceros and Tiger Conserva-
25 tion Fund, \$200,000, to remain available until expended,
26 to be available to carry out the provisions of the Rhinoc-

1 eros and Tiger Conservation Act of 1994 (Public Law
2 103–391).

3 WILDLIFE CONSERVATION AND APPRECIATION FUND

4 For deposit to the Wildlife Conservation and Appre-
5 ciation Fund, \$800,000, to remain available until ex-
6 pended.

7 ADMINISTRATIVE PROVISIONS

8 Appropriations and funds available to the United
9 States Fish and Wildlife Service shall be available for pur-
10 chase of not to exceed 113 passenger motor vehicles; not
11 to exceed \$400,000 for payment, at the discretion of the
12 Secretary, for information, rewards, or evidence concern-
13 ing violations of laws administered by the United States
14 Fish and Wildlife Service, and miscellaneous and emer-
15 gency expenses of enforcement activities, authorized or ap-
16 proved by the Secretary and to be accounted for solely on
17 his certificate; repair of damage to public roads within and
18 adjacent to reservation areas caused by operations of the
19 United States Fish and Wildlife Service; options for the
20 purchase of land at not to exceed \$1 for each option; facili-
21 ties incident to such public recreational uses on conserva-
22 tion areas as are consistent with their primary purpose;
23 and the maintenance and improvement of aquaria, build-
24 ings, and other facilities under the jurisdiction of the Unit-
25 ed States Fish and Wildlife Service and to which the Unit-
26 ed States has title, and which are utilized pursuant to law

1 in connection with management and investigation of fish
2 and wildlife resources: *Provided*, That notwithstanding 44
3 U.S.C. 501, the Service may, under cooperative cost shar-
4 ing and partnership arrangements authorized by law, pro-
5 cure printing services from cooperators in connection with
6 jointly-produced publications for which the cooperators
7 share at least one-half the cost of printing either in cash
8 or services and the Service determines the cooperator is
9 capable of meeting accepted quality standards: *Provided*
10 *further*, That the United States Fish and Wildlife Service
11 may accept donated aircraft as replacements for existing
12 aircraft: *Provided further*, That notwithstanding any other
13 provision of law, the Secretary of the Interior may not
14 spend any of the funds appropriated in this Act for the
15 purchase of lands or interests in lands to be used in the
16 establishment of any new unit of the National Wildlife
17 Refuge System unless the purchase is approved in advance
18 by the House and Senate Committees on Appropriations
19 in compliance with the reprogramming procedures con-
20 tained in House Report 103-551: *Provided further*, That
21 none of the funds made available in this Act may be used
22 by the U. S. Fish and Wildlife Service to impede or delay
23 the issuance of a wetlands permit by the U. S. Army Corps
24 of Engineers to the City of Lake Jackson, Texas, for the
25 development of a public golf course west of Buffalo Camp

1 Bayou between the Brazos River and Highway 332: *Pro-*
2 *vided further*, That the Director of the Fish and Wildlife
3 Service may charge reasonable fees for expenses to the
4 Federal Government for providing training by the Na-
5 tional Education and Training Center: *Provided further*,
6 That all training fees collected shall be available to the
7 Director, until expended, without further appropriation, to
8 be used for the costs of training and education provided
9 by the National Education and Training Center: *Provided*
10 *further*, That with respect to lands leased for farming pur-
11 suant to Public Law 88-567, if for any reason the Sec-
12 retary disapproves for use in 1996 or does not finally ap-
13 prove for use in 1996 any pesticide or chemical which was
14 approved for use in 1995 or had been requested for use
15 in 1996 by the submission of a pesticide use proposal as
16 of September 19, 1995, none of the funds in this Act may
17 be used to develop, implement, or enforce regulations or
18 policies (including pesticide use proposals) related to the
19 use of chemicals and pest management that are more re-
20 strictive than the requirements of applicable State and
21 Federal laws related to the use of chemicals and pest man-
22 agement practices on non-Federal lands.

1 NATIONAL PARK SERVICE

2 OPERATION OF THE NATIONAL PARK SYSTEM

3 For expenses necessary for the management, oper-
4 ation, and maintenance of areas and facilities adminis-
5 tered by the National Park Service (including special road
6 maintenance service to trucking permittees on a reimburs-
7 able basis), and for the general administration of the Na-
8 tional Park Service, including not to exceed \$1,593,000
9 for the Volunteers-in-Parks program, and not less than
10 \$1,000,000 for high priority projects within the scope of
11 the approved budget which shall be carried out by the
12 Youth Conservation Corps as authorized by the Act of Au-
13 gust 13, 1970, as amended by Public Law 93-408,
14 \$1,086,014,000, without regard to the Act of August 24,
15 1912, as amended (16 U.S.C. 451), of which not to exceed
16 \$72,000,000, to remain available until expended is to be
17 derived from the special fee account established pursuant
18 to title V, section 5201, of Public Law 100-203, and of
19 which not more than \$500,000 shall be available for devel-
20 opment of the National Park Service's management plan
21 for the Mojave National Preserve: *Provided*, That these
22 funds shall be strictly limited to the development activities
23 for the Preserve's management plan.

24 NATIONAL RECREATION AND PRESERVATION

25 For expenses necessary to carry out recreation pro-
26 grams, natural programs, cultural programs, environ-

1 mental compliance and review, international park affairs,
2 statutory or contractual aid for other activities, and grant
3 administration, not otherwise provided for, \$37,649,000:
4 *Provided*, That \$236,000 of the funds provided herein are
5 for the William O. Douglas Outdoor Education Center,
6 subject to authorization.

7 HISTORIC PRESERVATION FUND

8 For expenses necessary in carrying out the provisions
9 of the Historic Preservation Act of 1966 (80 Stat. 915),
10 as amended (16 U.S.C. 470), \$36,212,000, to be derived
11 from the Historic Preservation Fund, established by sec-
12 tion 108 of that Act, as amended, to remain available for
13 obligation until September 30, 1997.

14 CONSTRUCTION

15 For construction, improvements, repair or replace-
16 ment of physical facilities, \$143,225,000, to remain avail-
17 able until expended: *Provided*, That not to exceed
18 \$4,500,000 of the funds provided herein shall be paid to
19 the Army Corps of Engineers for modifications authorized
20 by section 104 of the Everglades National Park Protection
21 and Expansion Act of 1989: *Provided further*, That funds
22 provided under this head, derived from the Historic Pres-
23 ervation Fund, established by the Historic Preservation
24 Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470),
25 may be available until expended to render sites safe for
26 visitors and for building stabilization.

1 process any grant or contract documents which do not in-
2 clude the text of 18 U.S.C. 1913: *Provided further*, That
3 none of the funds appropriated to the National Park Serv-
4 ice may be used to implement an agreement for the rede-
5 velopment of the southern end of Ellis Island until such
6 agreement has been submitted to the Congress and shall
7 not be implemented prior to the expiration of 30 calendar
8 days (not including any day in which either House of Con-
9 gress is not in session because of adjournment of more
10 than three calendar days to a day certain) from the receipt
11 by the Speaker of the House of Representatives and the
12 President of the Senate of a full and comprehensive report
13 on the development of the southern end of Ellis Island,
14 including the facts and circumstances relied upon in sup-
15 port of the proposed project.

16 None of the funds in this Act may be spent by the
17 National Park Service for activities taken in direct re-
18 sponse to the United Nations Biodiversity Convention.

19 The National Park Service may enter into cooperative
20 agreements that involve the transfer of National Park
21 Service appropriated funds to State, local and tribal gov-
22 ernments, other public entities, educational institutions,
23 and private nonprofit organizations for the public purpose
24 of carrying out National Park Service programs.

1 The National Park Service shall, within existing
2 funds, conduct a Feasibility Study for a northern access
3 route into Denali National Park and Preserve in Alaska,
4 to be completed within one year of the enactment of this
5 Act and submitted to the House and Senate Committees
6 on Appropriations and to the Senate Committee on En-
7 ergy and Natural Resources and the House Committee on
8 Resources. The Feasibility Study shall ensure that re-
9 source impacts from any plan to create such access route
10 are evaluated with accurate information and according to
11 a process that takes into consideration park values, visitor
12 needs, a full range of alternatives, the viewpoints of all
13 interested parties, including the tourism industry and the
14 State of Alaska, and potential needs for compliance with
15 the National Environmental Policy Act. The Study shall
16 also address the time required for development of alter-
17 natives and identify all associated costs.

18 This Feasibility Study shall be conducted solely by
19 the National Park Service planning personnel permanently
20 assigned to National Park Service offices located in the
21 State of Alaska in consultation with the State of Alaska
22 Department of Transportation.

1 UNITED STATES GEOLOGICAL SURVEY
2 SURVEYS, INVESTIGATIONS, AND RESEARCH

3 For expenses necessary for the United States Geo-
4 logical Survey to perform surveys, investigations, and re-
5 search covering topography, geology, hydrology, and the
6 mineral and water resources of the United States, its Ter-
7 ritories and possessions, and other areas as authorized by
8 law (43 U.S.C. 31, 1332 and 1340); classify lands as to
9 their mineral and water resources; give engineering super-
10 vision to power permittees and Federal Energy Regulatory
11 Commission licensees; administer the minerals exploration
12 program (30 U.S.C. 641); and publish and disseminate
13 data relative to the foregoing activities; and to conduct
14 inquiries into the economic conditions affecting mining
15 and materials processing industries (30 U.S.C. 3, 21a, and
16 1603; 50 U.S.C. 98g(1)) and related purposes as author-
17 ized by law and to publish and disseminate data;
18 \$729,995,000, of which \$62,130,000 shall be available for
19 cooperation with States or municipalities for water re-
20 sources investigations, and of which \$137,000,000 for re-
21 source research and the operations of Cooperative Re-
22 search Units shall remain available until September 30,
23 1997, and of which \$16,000,000 shall remain available
24 until expended for conducting inquiries into the economic
25 conditions affecting mining and materials processing in-

1 dustries: *Provided*, That no part of this appropriation shall
2 be used to pay more than one-half the cost of any topo-
3 graphic mapping or water resources investigations carried
4 on in cooperation with any State or municipality: *Provided*
5 *further*, That funds available herein for resource research
6 may be used for the purchase of not to exceed 61 pas-
7 senger motor vehicles, of which 55 are for replacement
8 only: *Provided further*, That none of the funds available
9 under this head for resource research shall be used to con-
10 duct new surveys on private property, including new aerial
11 surveys for the designation of habitat under the Endan-
12 gered Species Act, except when it is made known to the
13 Federal official having authority to obligate or expend
14 such funds that the survey or research has been requested
15 and authorized in writing by the property owner or the
16 owner's authorized representative: *Provided further*, That
17 none of the funds provided herein for resource research
18 may be used to administer a volunteer program when it
19 is made known to the Federal official having authority to
20 obligate or expend such funds that the volunteers are not
21 properly trained or that information gathered by the vol-
22 unteers is not carefully verified: *Provided further*, That no
23 later than April 1, 1996, the Director of the United States
24 Geological Survey shall issue agency guidelines for re-
25 source research that ensure that scientific and technical

1 peer review is utilized as fully as possible in selection of
2 projects for funding and ensure the validity and reliability
3 of research and data collection on Federal lands: *Provided*
4 *further*, That no funds available for resource research may
5 be used for any activity that was not authorized prior to
6 the establishment of the National Biological Survey: *Pro-*
7 *vided further*, That once every five years the National
8 Academy of Sciences shall review and report on the re-
9 source research activities of the Survey: *Provided further*,
10 That if specific authorizing legislation is enacted during
11 or before the start of fiscal year 1996, the resource re-
12 search component of the Survey should comply with the
13 provisions of that legislation: *Provided further*, That unob-
14 ligated and unexpended balances in the National Biologi-
15 cal Survey, Research, inventories and surveys account at
16 the end of fiscal year 1995, shall be merged with and made
17 a part of the United States Geological Survey, Surveys,
18 investigations, and research account and shall remain
19 available for obligation until September 30, 1996: *Pro-*
20 *vided further*, That the authority granted to the United
21 States Bureau of Mines to conduct mineral surveys and
22 to determine mineral values by section 603 of Public Law
23 94-579 is hereby transferred to, and vested in, the Direc-
24 tor of the United States Geological Survey.

1 ADMINISTRATIVE PROVISIONS

2 The amount appropriated for the United States Geo-
3 logical Survey shall be available for purchase of not to ex-
4 ceed 22 passenger motor vehicles, for replacement only;
5 reimbursement to the General Services Administration for
6 security guard services; contracting for the furnishing of
7 topographic maps and for the making of geophysical or
8 other specialized surveys when it is administratively deter-
9 mined that such procedures are in the public interest; con-
10 struction and maintenance of necessary buildings and ap-
11 purtenant facilities; acquisition of lands for gauging sta-
12 tions and observation wells; expenses of the United States
13 National Committee on Geology; and payment of com-
14 pensation and expenses of persons on the rolls of the Unit-
15 ed States Geological Survey appointed, as authorized by
16 law, to represent the United States in the negotiation and
17 administration of interstate compacts: *Provided*, That ac-
18 tivities funded by appropriations herein made may be ac-
19 complished through the use of contracts, grants, or coop-
20 erative agreements as defined in 31 U.S.C. 6302, et seq.

21 MINERALS MANAGEMENT SERVICE

22 ROYALTY AND OFFSHORE MINERALS MANAGEMENT

23 For expenses necessary for minerals leasing and envi-
24 ronmental studies, regulation of industry operations, and
25 collection of royalties, as authorized by law; for enforcing

1 laws and regulations applicable to oil, gas, and other min-
2 erals leases, permits, licenses and operating contracts; and
3 for matching grants or cooperative agreements; including
4 the purchase of not to exceed eight passenger motor vehi-
5 cles for replacement only; \$182,339,000, of which not less
6 than \$70,105,000 shall be available for royalty manage-
7 ment activities; and an amount not to exceed \$15,400,000
8 for the Technical Information Management System and
9 Related Activities of the Outer Continental Shelf (OCS)
10 Lands Activity, to be credited to this appropriation and
11 to remain available until expended, from additions to re-
12 ceipts resulting from increases to rates in effect on August
13 5, 1993, from rate increases to fee collections for OCS
14 administrative activities performed by the Minerals Man-
15 agement Service over and above the rates in effect on Sep-
16 tember 30, 1993, and from additional fees for OCS admin-
17 istrative activities established after September 30, 1993:
18 *Provided*, That beginning in fiscal year 1996 and there-
19 after, fees for royalty rate relief applications shall be es-
20 tablished (and revised as needed) in Notices to Lessees,
21 and shall be credited to this account in the program areas
22 performing the function, and remain available until ex-
23 pended for the costs of administering the royalty rate re-
24 lief authorized by 43 U.S.C. 1337(a)(3): *Provided further*,
25 That \$1,500,000 for computer acquisitions shall remain

1 available until September 30, 1997: *Provided further*, That
2 funds appropriated under this Act shall be available for
3 the payment of interest in accordance with 30 U.S.C.
4 1721 (b) and (d): *Provided further*, That not to exceed
5 \$3,000 shall be available for reasonable expenses related
6 to promoting volunteer beach and marine cleanup activi-
7 ties: *Provided further*, That notwithstanding any other
8 provision of law, \$15,000 under this head shall be avail-
9 able for refunds of overpayments in connection with cer-
10 tain Indian leases in which the Director of the Minerals
11 Management Service concurred with the claimed refund
12 due, to pay amounts owed to Indian allottees or Tribes,
13 or to correct prior unrecoverable erroneous payments: *Pro-*
14 *vided further*, That beginning in fiscal year 1996 and
15 thereafter, the Secretary shall take appropriate action to
16 collect unpaid and underpaid royalties and late payment
17 interest owed by Federal and Indian mineral lessees and
18 other royalty payors on amounts received in settlement or
19 other resolution of disputes under, and for partial or com-
20 plete termination of, sales agreements for minerals from
21 Federal and Indian leases.

22 OIL SPILL RESEARCH

23 For necessary expenses to carry out the purposes of
24 title I, section 1016, title IV, sections 4202 and 4303, title
25 VII, and title VIII, section 8201 of the Oil Pollution Act
26 of 1990, \$6,440,000, which shall be derived from the Oil

1 Spill Liability Trust Fund, to remain available until ex-
2 pended.

3 BUREAU OF MINES

4 MINES AND MINERALS

5 For expenses necessary for, and incidental to, the clo-
6 sure of the United States Bureau of Mines, \$64,000,000,
7 to remain available until expended, of which not to exceed
8 \$5,000,000 may be used for the completion and/or trans-
9 fer of certain ongoing projects within the United States
10 Bureau of Mines, such projects to be identified by the Sec-
11 retary of the Interior within 90 days of enactment of this
12 Act: *Provided*, That there hereby are transferred to, and
13 vested in, the Secretary of Energy: (1) the functions per-
14 taining to the promotion of health and safety in mines and
15 the mineral industry through research vested by law in
16 the Secretary of the Interior or the United States Bureau
17 of Mines and performed in fiscal year 1995 by the United
18 States Bureau of Mines at its Pittsburgh Research Center
19 in Pennsylvania, and at its Spokane Research Center in
20 Washington; (2) the functions pertaining to the conduct
21 of inquiries, technological investigations and research con-
22 cerning the extraction, processing, use and disposal of
23 mineral substances vested by law in the Secretary of the
24 Interior or the United States Bureau of Mines and per-
25 formed in fiscal year 1995 by the United States Bureau

1 of Mines under the minerals and materials science pro-
2 grams at its Pittsburgh Research Center in Pennsylvania,
3 and at its Albany Research Center in Oregon; and (3) the
4 functions pertaining to mineral reclamation industries and
5 the development of methods for the disposal, control, pre-
6 vention, and reclamation of mineral waste products vested
7 by law in the Secretary of the Interior or the United
8 States Bureau of Mines and performed in fiscal year 1995
9 by the United States Bureau of Mines at its Pittsburgh
10 Research Center in Pennsylvania: *Provided further*, That,
11 if any of the same functions were performed in fiscal year
12 1995 at locations other than those listed above, such func-
13 tions shall not be transferred to the Secretary of Energy
14 from those other locations: *Provided further*, That the Di-
15 rector of the Office of Management and Budget, in con-
16 sultation with the Secretary of Energy and the Secretary
17 of the Interior, is authorized to make such determinations
18 as may be necessary with regard to the transfer of func-
19 tions which relate to or are used by the Department of
20 the Interior, or component thereof affected by this trans-
21 fer of functions, and to make such dispositions of person-
22 nel, facilities, assets, liabilities, contracts, property,
23 records, and unexpended balances of appropriations, au-
24 thorizations, allocations, and other funds held, used, aris-
25 ing from, available to or to be made available in connection

1 with, the functions transferred herein as are deemed nec-
2 essary to accomplish the purposes of this transfer: *Pro-*
3 *vided further,* That all reductions in personnel com-
4 plements resulting from the provisions of this Act shall,
5 as to the functions transferred to the Secretary of Energy,
6 be done by the Secretary of the Interior as though these
7 transfers had not taken place but had been required of
8 the Department of the Interior by all other provisions of
9 this Act before the transfers of function became effective:
10 *Provided further,* That the transfers of function to the Sec-
11 retary of Energy shall become effective on the date speci-
12 fied by the Director of the Office of Management and
13 Budget, but in no event later than 90 days after enact-
14 ment into law of this Act: *Provided further,* That the ref-
15 erence to “function” includes, but is not limited to, any
16 duty, obligation, power, authority, responsibility, right,
17 privilege, and activity, or the plural thereof, as the case
18 may be.

19 ADMINISTRATIVE PROVISIONS

20 The Secretary is authorized to accept lands, build-
21 ings, equipment, other contributions, and fees from public
22 and private sources, and to prosecute projects using such
23 contributions and fees in cooperation with other Federal,
24 State or private agencies: *Provided,* That the Bureau of
25 Mines is authorized, during the current fiscal year, to sell
26 directly or through any Government agency, including cor-

1 porations, any metal or mineral products that may be
2 manufactured in pilot plants operated by the Bureau of
3 Mines, and the proceeds of such sales shall be covered into
4 the Treasury as miscellaneous receipts: *Provided further,*
5 That notwithstanding any other provision of law, the Sec-
6 retary is authorized to convey, without reimbursement,
7 title and all interest of the United States in property and
8 facilities of the United States Bureau of Mines in Juneau,
9 Alaska, to the City and Borough of Juneau, Alaska; in
10 Tuscaloosa, Alabama, to the University of Alabama; in
11 Rolla, Missouri, to the University of Missouri-Rolla; and
12 in other localities to such university or government entities
13 as the Secretary deems appropriate.

14 OFFICE OF SURFACE MINING RECLAMATION AND
15 ENFORCEMENT
16 REGULATION AND TECHNOLOGY

17 For necessary expenses to carry out the provisions
18 of the Surface Mining Control and Reclamation Act of
19 1977, Public Law 95–87, as amended, including the pur-
20 chase of not to exceed 15 passenger motor vehicles for re-
21 placement only; \$95,470,000, and notwithstanding 31
22 U.S.C. 3302, an additional amount shall be credited to
23 this account, to remain available until expended, from per-
24 formance bond forfeitures in fiscal year 1996: *Provided,*
25 That notwithstanding any other provision of law, the Sec-

1 retary of the Interior, pursuant to regulations, may utilize
2 directly or through grants to States, moneys collected in
3 fiscal year 1996 pursuant to the assessment of civil pen-
4 alties under section 518 of the Surface Mining Control
5 and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim
6 lands adversely affected by coal mining practices after Au-
7 gust 3, 1977, to remain available until expended: *Provided*
8 *further*, That notwithstanding any other provision of law,
9 appropriations for the Office of Surface Mining Reclama-
10 tion and Enforcement may provide for the travel and per
11 diem expenses of State and tribal personnel attending Of-
12 fice of Surface Mining Reclamation and Enforcement
13 sponsored training.

14 ABANDONED MINE RECLAMATION FUND

15 For necessary expenses to carry out the provisions
16 of title IV of the Surface Mining Control and Reclamation
17 Act of 1977, Public Law 95–87, as amended, including
18 the purchase of not more than 22 passenger motor vehicles
19 for replacement only, \$173,887,000, to be derived from
20 receipts of the Abandoned Mine Reclamation Fund and
21 to remain available until expended: *Provided*, That grants
22 to minimum program States will be \$1,500,000 per State
23 in fiscal year 1996: *Provided further*, That of the funds
24 herein provided up to \$18,000,000 may be used for the
25 emergency program authorized by section 410 of Public
26 Law 95–87, as amended, of which no more than 25 per

1 centum shall be used for emergency reclamation projects
2 in any one State and funds for Federally-administered
3 emergency reclamation projects under this proviso shall
4 not exceed \$11,000,000: *Provided further*, That prior year
5 unobligated funds appropriated for the emergency re-
6 clamation program shall not be subject to the 25 per cen-
7 tum limitation per State and may be used without fiscal
8 year limitation for emergency projects: *Provided further*,
9 That pursuant to Public Law 97-365, the Department of
10 the Interior is authorized to utilize up to 20 per centum
11 from the recovery of the delinquent debt owed to the Unit-
12 ed States Government to pay for contracts to collect these
13 debts: *Provided further*, That funds made available to
14 States under title IV of Public Law 95-87 may be used,
15 at their discretion, for any required non-Federal share of
16 the cost of projects funded by the Federal Government
17 for the purpose of environmental restoration related to
18 treatment or abatement of acid mine drainage from aban-
19 doned mines: *Provided further*, That such projects must
20 be consistent with the purposes and priorities of the Sur-
21 face Mining Control and Reclamation Act.

22 BUREAU OF INDIAN AFFAIRS

23 OPERATION OF INDIAN PROGRAMS

24 For operation of Indian programs by direct expendi-
25 ture, contracts, cooperative agreements, compacts, and

1 grants including expenses necessary to provide education
2 and welfare services for Indians, either directly or in co-
3 operation with States and other organizations, including
4 payment of care, tuition, assistance, and other expenses
5 of Indians in boarding homes, or institutions, or schools;
6 grants and other assistance to needy Indians; maintenance
7 of law and order; management, development, improve-
8 ment, and protection of resources and appurtenant facili-
9 ties under the jurisdiction of the Bureau of Indian Affairs,
10 including payment of irrigation assessments and charges;
11 acquisition of water rights; advances for Indian industrial
12 and business enterprises; operation of Indian arts and
13 crafts shops and museums; development of Indian arts
14 and crafts, as authorized by law; for the general adminis-
15 tration of the Bureau of Indian Affairs, including such
16 expenses in field offices; maintaining of Indian reservation
17 roads as defined in section 101 of title 23, United States
18 Code; and construction, repair, and improvement of Indian
19 housing, \$1,384,434,000, of which not to exceed
20 \$100,255,000 shall be for welfare assistance grants and
21 not to exceed \$104,626,000 shall be for payments to tribes
22 and tribal organizations for contract support costs associ-
23 ated with ongoing contracts or grants or compacts entered
24 into with the Bureau of Indian Affairs prior to fiscal year
25 1996, as authorized by the Indian Self-Determination Act

1 of 1975, as amended, and up to \$5,000,000 shall be for
2 the Indian Self-Determination Fund, which shall be avail-
3 able for the transitional cost of initial or expanded tribal
4 contracts, grants, compacts, or cooperative agreements
5 with the Bureau of Indian Affairs under the provisions
6 of the Indian Self-Determination Act; and of which not
7 to exceed \$330,711,000 for school operations costs of Bu-
8 reau-funded schools and other education programs shall
9 become available for obligation on July 1, 1996, and shall
10 remain available for obligation until September 30, 1997;
11 and of which not to exceed \$68,209,000 for higher edu-
12 cation scholarships, adult vocational training, and assist-
13 ance to public schools under the Act of April 16, 1934
14 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall
15 remain available for obligation until September 30, 1997;
16 and of which not to exceed \$71,854,000 shall remain
17 available until expended for housing improvement, road
18 maintenance, attorney fees, litigation support, self-govern-
19 ance grants, the Indian Self-Determination Fund, and the
20 Navajo-Hopi Settlement Program: *Provided*, That tribes
21 and tribal contractors may use their tribal priority alloca-
22 tions for unmet indirect costs of ongoing contracts, grants
23 or compact agreements: *Provided further*, That funds
24 made available to tribes and tribal organizations through
25 contracts or grants obligated during fiscal year 1996, as

1 authorized by the Indian Self-Determination Act of 1975
2 (88 Stat. 2203; 25 U.S.C. 450 et seq.), or grants author-
3 ized by the Indian Education Amendments of 1988 (25
4 U.S.C. 2001 and 2008A) shall remain available until ex-
5 pended by the contractor or grantee: *Provided further,*
6 That to provide funding uniformity within a Self-Govern-
7 ance Compact, any funds provided in this Act with avail-
8 ability for more than one year may be reprogrammed to
9 one year availability but shall remain available within the
10 Compact until expended: *Provided further,* That notwith-
11 standing any other provision of law, Indian tribal govern-
12 ments may, by appropriate changes in eligibility criteria
13 or by other means, change eligibility for general assistance
14 or change the amount of general assistance payments for
15 individuals within the service area of such tribe who are
16 otherwise deemed eligible for general assistance payments
17 so long as such changes are applied in a consistent manner
18 to individuals similarly situated: *Provided further,* That
19 any savings realized by such changes shall be available for
20 use in meeting other priorities of the tribes: *Provided fur-*
21 *ther,* That any net increase in costs to the Federal Govern-
22 ment which result solely from tribally increased payment
23 levels for general assistance shall be met exclusively from
24 funds available to the tribe from within its tribal priority
25 allocation: *Provided further,* That any forestry funds allo-

1 cated to a tribe which remain unobligated as of September
2 30, 1996, may be transferred during fiscal year 1997 to
3 an Indian forest land assistance account established for
4 the benefit of such tribe within the tribe's trust fund ac-
5 count: *Provided further*, That any such unobligated bal-
6 ances not so transferred shall expire on September 30,
7 1997: *Provided further*, That notwithstanding any other
8 provision of law, no funds available to the Bureau of In-
9 dian Affairs, other than the amounts provided herein for
10 assistance to public schools under the Act of April 16,
11 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.),
12 shall be available to support the operation of any elemen-
13 tary or secondary school in the State of Alaska in fiscal
14 year 1996: *Provided further*, That funds made available
15 in this or any other Act for expenditure through Septem-
16 ber 30, 1997 for schools funded by the Bureau of Indian
17 Affairs shall be available only to the schools which are in
18 the Bureau of Indian Affairs school system as of Septem-
19 ber 1, 1995: *Provided further*, That no funds available to
20 the Bureau of Indian Affairs shall be used to support ex-
21 panded grades for any school beyond the grade structure
22 in place at each school in the Bureau of Indian Affairs
23 school system as of October 1, 1995: *Provided further*,
24 That notwithstanding the provisions of 25 U.S.C.
25 2011(h)(1) (B) and (C), upon the recommendation of a

1 local school board for a Bureau of Indian Affairs operated
2 school, the Secretary shall establish rates of basic com-
3 pensation or annual salary rates for the positions of teach-
4 ers and counselors (including dormitory and homeliving
5 counselors) at the school at a level not less than that for
6 comparable positions in public school districts in the same
7 geographic area, to become effective on July 1, 1997: *Pro-*
8 *vided further*, That of the funds available only through
9 September 30, 1995, not to exceed \$8,000,000 in unobli-
10 gated and unexpended balances in the Operation of Indian
11 Programs account shall be merged with and made a part
12 of the fiscal year 1996 Operation of Indian Programs ap-
13 propriation, and shall remain available for obligation for
14 employee severance, relocation, and related expenses, until
15 March 31, 1996.

16 CONSTRUCTION

17 For construction, major repair, and improvement of
18 irrigation and power systems, buildings, utilities, and
19 other facilities, including architectural and engineering
20 services by contract; acquisition of lands and interests in
21 lands; and preparation of lands for farming,
22 \$100,833,000, to remain available until expended: *Pro-*
23 *vided*, That such amounts as may be available for the con-
24 struction of the Navajo Indian Irrigation Project and for
25 other water resource development activities related to the
26 Southern Arizona Water Rights Settlement Act may be

1 transferred to the Bureau of Reclamation: *Provided fur-*
2 *ther*, That not to exceed 6 per centum of contract author-
3 ity available to the Bureau of Indian Affairs from the Fed-
4 eral Highway Trust Fund may be used to cover the road
5 program management costs of the Bureau of Indian Af-
6 fairs: *Provided further*, That any funds provided for the
7 Safety of Dams program pursuant to 25 U.S.C. 13 shall
8 be made available on a non-reimbursable basis: *Provided*
9 *further*, That for the fiscal year ending September 30,
10 1996, in implementing new construction or facilities im-
11 provement and repair project grants in excess of \$100,000
12 that are provided to tribally controlled grant schools under
13 Public Law 100–297, as amended, the Secretary of the
14 Interior shall use the Administrative and Audit Require-
15 ments and Cost Principles for Assistance Programs con-
16 tained in 43 CFR part 12 as the regulatory requirements:
17 *Provided further*, That such grants shall not be subject
18 to section 12.61 of 43 CFR; the Secretary and the grantee
19 shall negotiate and determine a schedule of payments for
20 the work to be performed: *Provided further*, That in con-
21 sidering applications, the Secretary shall consider whether
22 the Indian tribe or tribal organization would be deficient
23 in assuring that the construction projects conform to ap-
24 plicable building standards and codes and Federal, tribal,
25 or State health and safety standards as required by 25

1 U.S.C. 2005(a), with respect to organizational and finan-
2 cial management capabilities: *Provided further*, That if the
3 Secretary declines an application, the Secretary shall fol-
4 low the requirements contained in 25 U.S.C. 2505(f): *Pro-*
5 *vided further*, That any disputes between the Secretary
6 and any grantee concerning a grant shall be subject to
7 the disputes provision in 25 U.S.C. 2508(e).

8 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
9 MISCELLANEOUS PAYMENTS TO INDIANS

10 For miscellaneous payments to Indian tribes and in-
11 dividuals and for necessary administrative expenses,
12 \$80,645,000, to remain available until expended; of which
13 \$78,600,000 shall be available for implementation of en-
14 acted Indian land and water claim settlements pursuant
15 to Public Laws 87–483, 97–293, 101–618, 102–374, 102–
16 441, 102–575, and 103–116, and for implementation of
17 other enacted water rights settlements, including not to
18 exceed \$8,000,000, which shall be for the Federal share
19 of the Catawba Indian Tribe of South Carolina Claims
20 Settlement, as authorized by section 5(a) of Public Law
21 103–116; and of which \$1,045,000 shall be available pur-
22 suant to Public Laws 98–500, 99–264, and 100–580; and
23 of which \$1,000,000 shall be available (1) to liquidate obli-
24 gations owed tribal and individual Indian payees of any
25 checks canceled pursuant to section 1003 of the Competi-
26 tive Equality Banking Act of 1987 (Public Law 100–86

1 (101 Stat. 659)), 31 U.S.C. 3334(b), (2) to restore to In-
2 dividual Indian Monies trust funds, Indian Irrigation Sys-
3 tems, and Indian Power Systems accounts amounts in-
4 vested in credit unions or defaulted savings and loan asso-
5 ciations and which were not Federally insured, and (3)
6 to reimburse Indian trust fund account holders for losses
7 to their respective accounts where the claim for said
8 loss(es) has been reduced to a judgment or settlement
9 agreement approved by the Department of Justice.

10 TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

11 For payment of management and technical assistance
12 requests associated with loans and grants approved under
13 the Indian Financing Act of 1974, as amended, \$500,000.

14 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

15 For the cost of guaranteed loans \$4,500,000, as au-
16 thorized by the Indian Financing Act of 1974, as amend-
17 ed: *Provided*, That such costs, including the cost of modi-
18 fying such loans, shall be as defined in section 502 of the
19 Congressional Budget Act of 1974, as amended: *Provided*
20 *further*, That these funds are available to subsidize total
21 loan principal, any part of which is to be guaranteed, not
22 to exceed \$35,914,000.

23 In addition, for administrative expenses necessary to
24 carry out the guaranteed loan program, \$500,000.

1 ADMINISTRATIVE PROVISIONS

2 Appropriations for the Bureau of Indian Affairs shall
3 be available for expenses of exhibits, and purchase of not
4 to exceed 275 passenger carrying motor vehicles, of which
5 not to exceed 215 shall be for replacement only.

6 TERRITORIAL AND INTERNATIONAL AFFAIRS

7 ASSISTANCE TO TERRITORIES

8 For expenses necessary for assistance to territories
9 under the jurisdiction of the Department of the Interior,
10 \$65,188,000, of which (1) \$61,661,000 shall be available
11 until expended for technical assistance, including mainte-
12 nance assistance, disaster assistance, insular management
13 controls, and brown tree snake control and research;
14 grants to the judiciary in American Samoa for compensa-
15 tion and expenses, as authorized by law (48 U.S.C.
16 1661(c)); grants to the Government of American Samoa,
17 in addition to current local revenues, for construction and
18 support of governmental functions; grants to the Govern-
19 ment of the Virgin Islands as authorized by law; grants
20 to the Government of Guam, as authorized by law; and
21 grants to the Government of the Northern Mariana Is-
22 lands as authorized by law (Public Law 94-241; 90 Stat.
23 272); and (2) \$3,527,000 shall be available for salaries
24 and expenses of the Office of Insular Affairs: *Provided*,
25 That all financial transactions of the territorial and local

1 governments herein provided for, including such trans-
2 actions of all agencies or instrumentalities established or
3 utilized by such governments, may be audited by the Gen-
4 eral Accounting Office, at its discretion, in accordance
5 with chapter 35 of title 31, United States Code: *Provided*
6 *further*, That Northern Mariana Islands Covenant grant
7 funding shall be provided according to those terms of the
8 Agreement of the Special Representatives on Future
9 United States Financial Assistance for the Northern Mari-
10 ana Islands approved by Public Law 99–396, or any sub-
11 sequent legislation related to Commonwealth of the North-
12 ern Mariana Islands Covenant grant funding: *Provided*
13 *further*, That of the amounts provided for technical assist-
14 ance, sufficient funding shall be made available for a grant
15 to the Close Up Foundation: *Provided further*, That the
16 funds for the program of operations and maintenance im-
17 provement are appropriated to institutionalize routine op-
18 erations and maintenance of capital infrastructure in
19 American Samoa, Guam, the Virgin Islands, the Common-
20 wealth of the Northern Mariana Islands, the Republic of
21 Palau, the Republic of the Marshall Islands, and the Fed-
22 erated States of Micronesia through assessments of long-
23 range operations and maintenance needs, improved capa-
24 bility of local operations and maintenance institutions and
25 agencies (including management and vocational education

1 training), and project-specific maintenance (with terri-
2 torial participation and cost sharing to be determined by
3 the Secretary based on the individual territory's commit-
4 ment to timely maintenance of its capital assets): *Provided*
5 *further*, That any appropriation for disaster assistance
6 under this head in this Act or previous appropriations Acts
7 may be used as non-Federal matching funds for the pur-
8 pose of hazard mitigation grants provided pursuant to sec-
9 tion 404 of the Robert T. Stafford Disaster Relief and
10 Emergency Assistance Act (42 U.S.C. 5170c).

11 COMPACT OF FREE ASSOCIATION

12 For economic assistance and necessary expenses for
13 the Federated States of Micronesia and the Republic of
14 the Marshall Islands as provided for in sections 122, 221,
15 223, 232, and 233 of the Compacts of Free Association,
16 and for economic assistance and necessary expenses for
17 the Republic of Palau as provided for in sections 122, 221,
18 223, 232, and 233 of the Compact of Free Association,
19 \$24,938,000, to remain available until expended, as au-
20 thorized by Public Law 99–239 and Public Law 99–658:
21 *Provided*, That notwithstanding section 112 of Public Law
22 101–219 (103 Stat. 1873), the Secretary of the Interior
23 may agree to technical changes in the specifications for
24 the project described in the subsidiary agreement nego-
25 tiated under section 212(a) of the Compact of Free Asso-

1 ciation, Public Law 99–658, or its annex, if the changes
2 do not result in increased costs to the United States.

3 DEPARTMENTAL OFFICES

4 DEPARTMENTAL MANAGEMENT

5 SALARIES AND EXPENSES

6 For necessary expenses for management of the De-
7 partment of the Interior, \$56,456,000, of which not to ex-
8 ceed \$7,500 may be for official reception and representa-
9 tion expenses.

10 OFFICE OF THE SOLICITOR

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of the Solicitor,
13 \$34,337,000.

14 OFFICE OF INSPECTOR GENERAL

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of Inspector
17 General, \$23,939,000.

18 CONSTRUCTION MANAGEMENT

19 SALARIES AND EXPENSES

20 For necessary expenses of the Office of Construction
21 Management, \$500,000.

22 NATIONAL INDIAN GAMING COMMISSION

23 SALARIES AND EXPENSES

24 For necessary expenses of the National Indian Gam-
25 ing Commission, pursuant to Public Law 100–497,

1 \$1,000,000: *Provided*, That on March 1, 1996, the Chair-
2 man shall submit to the Secretary a report detailing those
3 Indian tribes or tribal organizations with gaming oper-
4 ations that are in full compliance, partial compliance, or
5 non-compliance with the provisions of the Indian Gaming
6 Regulatory Act (25 U.S.C. 2701, et seq.): *Provided fur-*
7 *ther*, That the information contained in the report shall
8 be updated on a continuing basis.

9 OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

10 FEDERAL TRUST PROGRAMS

11 For operation of trust programs for Indians by direct
12 expenditure, contracts, cooperative agreements, compacts,
13 and grants, \$16,338,000, of which \$15,891,000 shall re-
14 main available until expended for trust funds manage-
15 ment: *Provided*, That funds made available to tribes and
16 tribal organizations through contracts or grants obligated
17 during fiscal year 1996, as authorized by the Indian Self-
18 Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450
19 et seq.), shall remain available until expended by the con-
20 tractor or grantee: *Provided further*, That notwithstanding
21 any other provision of law, the statute of limitations shall
22 not commence to run on any claim, including any claim
23 in litigation pending on the date of this Act, concerning
24 losses to or mismanagement of trust funds, until the af-
25 fected tribe or individual Indian has been furnished with

1 the accounting of such funds from which the beneficiary
2 can determine whether there has been a loss: *Provided fur-*
3 *ther*, That obligated and unobligated balances provided for
4 trust funds management within “Operation of Indian pro-
5 grams”, Bureau of Indian Affairs are hereby transferred
6 to and merged with this appropriation.

7 ADMINISTRATIVE PROVISIONS

8 There is hereby authorized for acquisition from avail-
9 able resources within the Working Capital Fund, 15 air-
10 craft, 10 of which shall be for replacement and which may
11 be obtained by donation, purchase or through available ex-
12 cess surplus property: *Provided*, That notwithstanding any
13 other provision of law, existing aircraft being replaced may
14 be sold, with proceeds derived or trade-in value used to
15 offset the purchase price for the replacement aircraft: *Pro-*
16 *vided further*, That no programs funded with appropriated
17 funds in “Departmental Management”, “Office of the So-
18 licitor”, and “Office of Inspector General” may be aug-
19 mented through the Working Capital Fund or the Consoli-
20 dated Working Fund.

21 GENERAL PROVISIONS, DEPARTMENT OF THE
22 INTERIOR

23 SEC. 101. Appropriations made in this title shall be
24 available for expenditure or transfer (within each bureau
25 or office), with the approval of the Secretary, for the emer-

1 gency reconstruction, replacement, or repair of aircraft,
2 buildings, utilities, or other facilities or equipment dam-
3 aged or destroyed by fire, flood, storm, or other unavail-
4 able causes: *Provided*, That no funds shall be made avail-
5 able under this authority until funds specifically made
6 available to the Department of the Interior for emer-
7 gencies shall have been exhausted: *Provided further*, That
8 all funds used pursuant to this section are hereby des-
9 ignated by Congress to be “emergency requirements” pur-
10 suant to section 251(b)(2)(D) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985 and must be re-
12 plenished by a supplemental appropriation which must be
13 requested as promptly as possible.

14 SEC. 102. The Secretary may authorize the expendi-
15 ture or transfer of any no year appropriation in this title,
16 in addition to the amounts included in the budget pro-
17 grams of the several agencies, for the suppression or emer-
18 gency prevention of forest or range fires on or threatening
19 lands under the jurisdiction of the Department of the Inte-
20 rior; for the emergency rehabilitation of burned-over lands
21 under its jurisdiction; for emergency actions related to po-
22 tential or actual earthquakes, floods, volcanoes, storms, or
23 other unavoidable causes; for contingency planning subse-
24 quent to actual oilspills; response and natural resource
25 damage assessment activities related to actual oilspills; for

1 the prevention, suppression, and control of actual or po-
2 tential grasshopper and Mormon cricket outbreaks on
3 lands under the jurisdiction of the Secretary, pursuant to
4 the authority in section 1773(b) of Public Law 99–198
5 (99 Stat. 1658); for emergency reclamation projects under
6 section 410 of Public Law 95–87; and shall transfer, from
7 any no year funds available to the Office of Surface Min-
8 ing Reclamation and Enforcement, such funds as may be
9 necessary to permit assumption of regulatory authority in
10 the event a primacy State is not carrying out the regu-
11 latory provisions of the Surface Mining Act: *Provided*,
12 That appropriations made in this title for fire suppression
13 purposes shall be available for the payment of obligations
14 incurred during the preceding fiscal year, and for reim-
15 bursement to other Federal agencies for destruction of ve-
16 hicles, aircraft, or other equipment in connection with
17 their use for fire suppression purposes, such reimburse-
18 ment to be credited to appropriations currently available
19 at the time of receipt thereof: *Provided further*, That for
20 emergency rehabilitation and wildfire suppression activi-
21 ties, no funds shall be made available under this authority
22 until funds appropriated to the “Emergency Department
23 of the Interior Firefighting Fund” shall have been ex-
24 hausted: *Provided further*, That all funds used pursuant
25 to this section are hereby designated by Congress to be

1 “emergency requirements” pursuant to section
2 251(b)(2)(D) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985 and must be replenished by
4 a supplemental appropriation which must be requested as
5 promptly as possible: *Provided further*, That such replen-
6 ishment funds shall be used to reimburse, on a pro rata
7 basis, accounts from which emergency funds were trans-
8 ferred.

9 SEC. 103. Appropriations made in this title shall be
10 available for operation of warehouses, garages, shops, and
11 similar facilities, wherever consolidation of activities will
12 contribute to efficiency or economy, and said appropria-
13 tions shall be reimbursed for services rendered to any
14 other activity in the same manner as authorized by sec-
15 tions 1535 and 1536 of title 31, United States Code: *Pro-*
16 *vided*, That reimbursements for costs and supplies, mate-
17 rials, equipment, and for services rendered may be cred-
18 ited to the appropriation current at the time such reim-
19 bursements are received.

20 SEC. 104. Appropriations made to the Department
21 of the Interior in this title shall be available for services
22 as authorized by 5 U.S.C. 3109, when authorized by the
23 Secretary, in total amount not to exceed \$500,000; hire,
24 maintenance, and operation of aircraft; hire of passenger
25 motor vehicles; purchase of reprints; payment for tele-

1 phone service in private residences in the field, when au-
2 thorized under regulations approved by the Secretary; and
3 the payment of dues, when authorized by the Secretary,
4 for library membership in societies or associations which
5 issue publications to members only or at a price to mem-
6 bers lower than to subscribers who are not members.

7 SEC. 105. Appropriations available to the Depart-
8 ment of the Interior for salaries and expenses shall be
9 available for uniforms or allowances therefor, as author-
10 ized by law (5 U.S.C. 5901–5902 and D.C. Code 4–204).

11 SEC. 106. Appropriations made in this title shall be
12 available for obligation in connection with contracts issued
13 for services or rentals for periods not in excess of twelve
14 months beginning at any time during the fiscal year.

15 SEC. 107. Appropriations made in this title from the
16 Land and Water Conservation Fund for acquisition of
17 lands and waters, or interests therein, shall be available
18 for transfer, with the approval of the Secretary, between
19 the following accounts: Bureau of Land Management,
20 Land acquisition, United States Fish and Wildlife Service,
21 Land acquisition, and National Park Service, Land acqui-
22 sition and State assistance. Use of such funds are subject
23 to the reprogramming guidelines of the House and Senate
24 Committees on Appropriations.

1 SEC. 108. Prior to the transfer of Presidio properties
2 to the Presidio Trust, when authorized, the Secretary may
3 not obligate in any calendar month more than $\frac{1}{12}$ of the
4 fiscal year 1996 appropriation for operation of the Pre-
5 sidio: *Provided*, That this section shall expire on December
6 31, 1995.

7 SEC. 109. Section 6003 of Public Law 101-380 is
8 hereby repealed.

9 SEC. 110. None of the funds appropriated or other-
10 wise made available by this Act may be obligated or ex-
11 pended by the Secretary of the Interior for developing,
12 promulgating, and thereafter implementing a rule con-
13 cerning rights-of-way under section 2477 of the Revised
14 Statutes.

15 SEC. 111. No funds provided in this title may be ex-
16 pended by the Department of the Interior for the conduct
17 of offshore leasing and related activities placed under re-
18 striction in the President's moratorium statement of June
19 26, 1990, in the areas of Northern, Central, and Southern
20 California; the North Atlantic; Washington and Oregon;
21 and the Eastern Gulf of Mexico south of 26 degrees north
22 latitude and east of 86 degrees west longitude.

23 SEC. 112. No funds provided in this title may be
24 expended by the Department of the Interior for the con-
25 duct of leasing, or the approval or permitting of any drill-

1 ing or other exploration activity, on lands within the North
2 Aleutian Basin planning area.

3 SEC. 113. No funds provided in this title may be ex-
4 pended by the Department of the Interior for the conduct
5 of preleasing and leasing activities in the Eastern Gulf of
6 Mexico for Outer Continental Shelf Lease Sale 151 in the
7 Outer Continental Shelf Natural Gas and Oil Resource
8 Management Comprehensive Program, 1992–1997.

9 SEC. 114. No funds provided in this title may be
10 expended by the Department of the Interior for the con-
11 duct of preleasing and leasing activities in the Atlantic for
12 Outer Continental Shelf Lease Sale 164 in the Outer Con-
13 tinental Shelf Natural Gas and Oil Resource Management
14 Comprehensive Program, 1992–1997.

15 SEC. 115. (a) Of the funds appropriated by this Act
16 or any subsequent Act providing for appropriations in fis-
17 cal years 1996 and 1997, not more than 50 percent of
18 any self-governance funds that would otherwise be allo-
19 cated to each Indian tribe in the State of Washington shall
20 actually be paid to or on account of such Indian tribe from
21 and after the time at which such tribe shall—

22 (1) take unilateral action that adversely impacts
23 the existing rights to and/or customary uses of,
24 nontribal member owners of fee simple land within
25 the exterior boundary of the tribe’s reservation to

1 water, electricity, or any other similar utility or ne-
2 cessity for the nontribal members' residential use of
3 such land; or

4 (2) restrict or threaten to restrict said owners
5 use of or access to publicly maintained rights-of-way
6 necessary or desirable in carrying the utilities or ne-
7 cessities described above.

8 (b) Such penalty shall not attach to the initiation of
9 any legal actions with respect to such rights or the en-
10 forcement of any final judgments, appeals from which
11 have been exhausted, with respect thereto.

12 SEC. 116. Within 30 days after the enactment of this
13 Act, the Department of the Interior shall issue a specific
14 schedule for the completion of the Lake Cushman Land
15 Exchange Act (Public Law 102-436) and shall complete
16 the exchange not later than September 30, 1996.

17 SEC. 117. Notwithstanding Public Law 90-544, as
18 amended, the National Park Service is authorized to ex-
19 pend appropriated funds for maintenance and repair of
20 the Company Creek Road in the Lake Chelan National
21 Recreation Area: *Provided*, That appropriated funds shall
22 not be expended for the purpose of improving the property
23 of private individuals unless specifically authorized by law.

24 SEC. 118. Section 4(b) of Public Law 94-241 (90
25 Stat. 263) as added by section 10 of Public Law 99-396

1 is amended by deleting “until Congress otherwise provides
2 by law.” and inserting in lieu thereof: “except that, for
3 fiscal years 1996 through 2002, payments to the Com-
4 monwealth of the Northern Mariana Islands pursuant to
5 the multi-year funding agreements contemplated under
6 the Covenant shall be \$11,000,000 annually, subject to an
7 equal local match and all other requirements set forth in
8 the Agreement of the Special Representatives on Future
9 Federal Financial Assistance of the Northern Mariana Is-
10 lands, executed on December 17, 1992 between the special
11 representative of the President of the United States and
12 special representatives of the Governor of the Northern
13 Mariana Islands with any additional amounts otherwise
14 made available under this section in any fiscal year and
15 not required to meet the schedule of payments in this sub-
16 section to be provided as set forth in subsection (c) until
17 Congress otherwise provides by law.

18 “(c) The additional amounts referred to in subsection
19 (b) shall be made available to the Secretary for obligation
20 as follows:

21 “(1) for fiscal years 1996 through 2001,
22 \$4,580,000 annually for capital infrastructure
23 projects as Impact Aid for Guam under section
24 104(c)(6) of Public Law 99–239;

1 “(2) for fiscal year 1996, \$7,700,000 shall be
2 provided for capital infrastructure projects in Amer-
3 ican Samoa; \$4,420,000 for resettlement of
4 Rongelap Atoll; and

5 “(3) for fiscal years 1997 and thereafter, all
6 such amounts shall be available solely for capital in-
7 frastructure projects in Guam, the Virgin Islands,
8 American Samoa, the Commonwealth of the North-
9 ern Mariana Islands, the Republic of Palau, the
10 Federated States of Micronesia and the Republic of
11 the Marshall Islands: *Provided*, That, in fiscal year
12 1997, \$3,000,000 of such amounts shall be made
13 available to the College of the Northern Marianas
14 and beginning in fiscal year 1997, and in each year
15 thereafter, not to exceed \$3,000,000 may be allo-
16 cated, as provided in appropriations Acts, to the
17 Secretary of the Interior for use by Federal agencies
18 or the Commonwealth of the Northern Mariana Is-
19 lands to address immigration, labor, and law en-
20 forcement issues in the Northern Mariana Islands.
21 The specific projects to be funded in American
22 Samoa shall be set forth in a five-year plan for in-
23 frastructure assistance developed by the Secretary of
24 the Interior in consultation with the American
25 Samoa Government and updated annually and sub-

1 mitted to the Congress concurrent with the budget
2 justifications for the Department of the Interior. In
3 developing budget recommendations for capital in-
4 frastructure funding, the Secretary shall indicate the
5 highest priority projects, consider the extent to
6 which particular projects are part of an overall mas-
7 ter plan, whether such project has been reviewed by
8 the Corps of Engineers and any recommendations
9 made as a result of such review, the extent to which
10 a set-aside for maintenance would enhance the life
11 of the project, the degree to which a local cost-share
12 requirement would be consistent with local economic
13 and fiscal capabilities, and may propose an incre-
14 mental set-aside, not to exceed \$2,000,000 per year,
15 to remain available without fiscal year limitation, as
16 an emergency fund in the event of natural or other
17 disasters to supplement other assistance in the re-
18 pair, replacement, or hardening of essential facilities:
19 *Provided further,* That the cumulative amount set
20 aside for such emergency fund may not exceed
21 \$10,000,000 at any time.

22 “(d) Within the amounts allocated for infrastructure
23 pursuant to this section, and subject to the specific alloca-
24 tions made in subsection (c), additional contributions may
25 be made, as set forth in appropriations Acts, to assist in

1 the resettlement of Rongelap Atoll: *Provided*, That the
2 total of all contributions from any Federal source after
3 enactment of this Act may not exceed \$32,000,000 and
4 shall be contingent upon an agreement, satisfactory to the
5 President, that such contributions are a full and final set-
6 tlement of all obligations of the United States to assist
7 in the resettlement of Rongelap Atoll and that such funds
8 will be expended solely on resettlement activities and will
9 be properly audited and accounted for. In order to provide
10 such contributions in a timely manner, each Federal agen-
11 cy providing assistance or services, or conducting activi-
12 ties, in the Republic of the Marshall Islands, is authorized
13 to make funds available through the Secretary of the Inte-
14 rior, to assist in the resettlement of Rongelap. Nothing
15 in this subsection shall be construed to limit the provision
16 of ex gratia assistance pursuant to section 105(c)(2) of
17 the Compact of Free Association Act of 1985 (Public Law
18 99–239, 99 Stat. 1770, 1792) including for individuals
19 choosing not to resettle at Rongelap, except that no such
20 assistance for such individuals may be provided until the
21 Secretary notifies the Congress that the full amount of
22 all funds necessary for resettlement at Rongelap has been
23 provided.”.

1 TITLE II—RELATED AGENCIES
2 DEPARTMENT OF AGRICULTURE
3 FOREST SERVICE
4 FOREST RESEARCH

5 For necessary expenses of forest research as author-
6 ized by law, \$178,000,000, to remain available until Sep-
7 tember 30, 1997.

8 STATE AND PRIVATE FORESTRY

9 For necessary expenses of cooperating with, and pro-
10 viding technical and financial assistance to States, Terri-
11 tories, possessions, and others and for forest pest manage-
12 ment activities, cooperative forestry and education and
13 land conservation activities, \$136,794,000, to remain
14 available until expended, as authorized by law.

15 NATIONAL FOREST SYSTEM

16 For necessary expenses of the Forest Service, not
17 otherwise provided for, for management, protection, im-
18 provement, and utilization of the National Forest System,
19 for ecosystem planning, inventory, and monitoring, and for
20 administrative expenses associated with the management
21 of funds provided under the heads “Forest Research”,
22 “State and Private Forestry”, “National Forest System”,
23 “Construction”, “Fire Protection and Emergency Sup-
24 pression”, and “Land Acquisition”, \$1,256,253,000, to
25 remain available for obligation until September 30, 1997,

1 and including 65 per centum of all monies received during
2 the prior fiscal year as fees collected under the Land and
3 Water Conservation Fund Act of 1965, as amended, in
4 accordance with section 4 of the Act (16 U.S.C. 460l–
5 6a(i)): *Provided*, That unobligated and unexpended bal-
6 ances in the National Forest System account at the end
7 of fiscal year 1995, shall be merged with and made a part
8 of the fiscal year 1996 National Forest System appropria-
9 tion, and shall remain available for obligation until Sep-
10 tember 30, 1997: *Provided further*, That up to \$5,000,000
11 of the funds provided herein for road maintenance shall
12 be available for the planned obliteration of roads which
13 are no longer needed.

14 WILDLAND FIRE MANAGEMENT

15 For necessary expenses for forest fire presuppression
16 activities on National Forest System lands, for emergency
17 fire suppression on or adjacent to National Forest System
18 lands or other lands under fire protection agreement, and
19 for emergency rehabilitation of burned over National For-
20 est System lands, \$385,485,000, to remain available until
21 expended: *Provided*, That unexpended balances of
22 amounts previously appropriated under any other head-
23 ings for Forest Service fire activities may be transferred
24 to and merged with this appropriation: *Provided further*,
25 That such funds are available for repayment of advances

1 from other appropriations accounts previously transferred
2 for such purposes.

3 CONSTRUCTION

4 For necessary expenses of the Forest Service, not
5 otherwise provided for, \$163,500,000, to remain available
6 until expended, for construction and acquisition of build-
7 ings and other facilities, and for construction and repair
8 of forest roads and trails by the Forest Service as author-
9 ized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205:
10 *Provided*, That funds becoming available in fiscal year
11 1996 under the Act of March 4, 1913 (16 U.S.C. 501)
12 shall be transferred to the General Fund of the Treasury
13 of the United States: *Provided further*, That not to exceed
14 \$50,000,000, to remain available until expended, may be
15 obligated for the construction of forest roads by timber
16 purchasers: *Provided further*, That \$2,500,000 of the
17 funds appropriated herein shall be available for a grant
18 to the “Non-Profit Citizens for the Columbia Gorge Dis-
19 covery Center” for the construction of the Columbia Gorge
20 Discovery Center: *Provided further*, That the Forest Serv-
21 ice is authorized to grant the unobligated balance of funds
22 appropriated in fiscal year 1995 for the construction of
23 the Columbia Gorge Discovery Center to the “Non-Profit
24 Citizens for the Columbia Gorge Discovery Center” to be
25 used for the same purpose: *Provided further*, That the For-

1 est Service is authorized to convey the land needed for
2 the construction of the Columbia Gorge Discovery Center
3 without cost to the “Non-Profit Citizens for the Columbia
4 Gorge Discovery Center”: *Provided further*, That notwith-
5 standing any other provision of law, funds originally ap-
6 propriated under this head in Public Law 101–512 for the
7 Forest Service share of a new research facility at the Uni-
8 versity of Missouri, Columbia, shall be available for a
9 grant to the University of Missouri, as the Federal share
10 in the construction of the new facility: *Provided further*,
11 That agreed upon lease of space in the new facility shall
12 be provided to the Forest Service without charge for the
13 life of the building.

14 LAND ACQUISITION

15 For expenses necessary to carry out the provisions
16 of the Land and Water Conservation Fund Act of 1965,
17 as amended (16 U.S.C. 4601–4–11), including administra-
18 tive expenses, and for acquisition of land or waters, or in-
19 terest therein, in accordance with statutory authority ap-
20 plicable to the Forest Service, \$24,200,000, to be derived
21 from the Land and Water Conservation Fund, to remain
22 available until expended.

1 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
2 ACTS

3 For acquisition of lands within the exterior bound-
4 aries of the Cache, Uinta, and Wasatch National Forests,
5 Utah; the Toiyabe National Forest, Nevada; and the An-
6 geles, San Bernardino, Sequoia, and Cleveland National
7 Forests, California, as authorized by law, \$1,069,000, to
8 be derived from forest receipts.

9 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

10 For acquisition of lands, to be derived from funds de-
11 posited by State, county, or municipal governments, public
12 school districts, or other public school authorities pursuant
13 to the Act of December 4, 1967, as amended (16 U.S.C.
14 484a), to remain available until expended.

15 RANGE BETTERMENT FUND

16 For necessary expenses of range rehabilitation, pro-
17 tection, and improvement, 50 per centum of all moneys
18 received during the prior fiscal year, as fees for grazing
19 domestic livestock on lands in National Forests in the six-
20 teen Western States, pursuant to section 401(b)(1) of
21 Public Law 94-579, as amended, to remain available until
22 expended, of which not to exceed 6 per centum shall be
23 available for administrative expenses associated with on-
24 the-ground range rehabilitation, protection, and improve-
25 ments.

1 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
2 RANGELAND RESEARCH

3 For expenses authorized by 16 U.S.C. 1643(b),
4 \$92,000, to remain available until expended, to be derived
5 from the fund established pursuant to the above Act.

6 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

7 Appropriations to the Forest Service for the current
8 fiscal year shall be available for: (a) purchase of not to
9 exceed 183 passenger motor vehicles of which 32 will be
10 used primarily for law enforcement purposes and of which
11 151 shall be for replacement; acquisition of 22 passenger
12 motor vehicles from excess sources, and hire of such vehi-
13 cles; operation and maintenance of aircraft, the purchase
14 of not to exceed two for replacement only, and acquisition
15 of 20 aircraft from excess sources; notwithstanding other
16 provisions of law, existing aircraft being replaced may be
17 sold, with proceeds derived or trade-in value used to offset
18 the purchase price for the replacement aircraft; (b) serv-
19 ices pursuant to the second sentence of section 706(a) of
20 the Organic Act of 1944 (7 U.S.C. 2225), and not to ex-
21 ceed \$100,000 for employment under 5 U.S.C. 3109; (c)
22 purchase, erection, and alteration of buildings and other
23 public improvements (7 U.S.C. 2250); (d) acquisition of
24 land, waters, and interests therein, pursuant to the Act
25 of August 3, 1956 (7 U.S.C. 428a); (e) for expenses pur-

1 suant to the Volunteers in the National Forest Act of
2 1972 (16 U.S.C. 558a, 558d, 558a note); and (f) for debt
3 collection contracts in accordance with 31 U.S.C. 3718(e).

4 None of the funds made available under this Act shall
5 be obligated or expended to change the boundaries of any
6 region, to abolish any region, to move or close any regional
7 office for research, State and private forestry, or National
8 Forest System administration of the Forest Service, De-
9 partment of Agriculture, or to implement any reorganiza-
10 tion, “reinvention” or other type of organizational restruc-
11 turing of the Forest Service, other than the relocation of
12 the Regional Office for Region 5 of the Forest Service
13 from San Francisco to excess military property at Mare
14 Island, Vallejo, California, without the consent of the
15 House and Senate Committees on Appropriations and the
16 Committee on Agriculture, Nutrition, and Forestry and
17 the Committee on Energy and Natural Resources in the
18 United States Senate and the Committee on Agriculture
19 and the Committee on Resources in the United States
20 House of Representatives.

21 Any appropriations or funds available to the Forest
22 Service may be advanced to the Fire and Emergency Sup-
23 pression appropriation and may be used for forest fire-
24 fighting and the emergency rehabilitation of burned-over
25 lands under its jurisdiction: *Provided*, That no funds shall

1 be made available under this authority until funds appro-
2 priated to the “Emergency Forest Service Firefighting
3 Fund” shall have been exhausted.

4 Any funds available to the Forest Service may be
5 used for retrofitting Mare Island facilities to accommodate
6 the relocation: *Provided*, That funds for the move must
7 come from funds otherwise available to Region 5: *Provided*
8 *further*, That any funds to be provided for such purposes
9 shall only be available upon approval of the House and
10 Senate Committees on Appropriations.

11 Funds appropriated to the Forest Service shall be
12 available for assistance to or through the Agency for Inter-
13 national Development and the Foreign Agricultural Serv-
14 ice in connection with forest and rangeland research, tech-
15 nical information, and assistance in foreign countries, and
16 shall be available to support forestry and related natural
17 resource activities outside the United States and its terri-
18 tories and possessions, including technical assistance, edu-
19 cation and training, and cooperation with United States
20 and international organizations.

21 None of the funds made available to the Forest Serv-
22 ice under this Act shall be subject to transfer under the
23 provisions of section 702(b) of the Department of Agri-
24 culture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C.
25 147b unless the proposed transfer is approved in advance

1 by the House and Senate Committees on Appropriations
2 in compliance with the reprogramming procedures con-
3 tained in House Report 103-551.

4 No funds appropriated to the Forest Service shall be
5 transferred to the Working Capital Fund of the Depart-
6 ment of Agriculture without the approval of the Chief of
7 the Forest Service.

8 Notwithstanding any other provision of law, any ap-
9 propriations or funds available to the Forest Service may
10 be used to disseminate program information to private and
11 public individuals and organizations through the use of
12 nonmonetary items of nominal value and to provide
13 nonmonetary awards of nominal value and to incur nec-
14 essary expenses for the nonmonetary recognition of private
15 individuals and organizations that make contributions to
16 Forest Service programs.

17 Notwithstanding any other provision of law, money
18 collected, in advance or otherwise, by the Forest Service
19 under authority of section 101 of Public Law 93-153 (30
20 U.S.C. 185(1)) as reimbursement of administrative and
21 other costs incurred in processing pipeline right-of-way or
22 permit applications and for costs incurred in monitoring
23 the construction, operation, maintenance, and termination
24 of any pipeline and related facilities, may be used to reim-

1 burse the applicable appropriation to which such costs
2 were originally charged.

3 Funds available to the Forest Service shall be avail-
4 able to conduct a program of not less than \$1,000,000
5 for high priority projects within the scope of the approved
6 budget which shall be carried out by the Youth Conserva-
7 tion Corps as authorized by the Act of August 13, 1970,
8 as amended by Public Law 93-408.

9 None of the funds available in this Act shall be used
10 for timber sale preparation using clearcutting in hardwood
11 stands in excess of 25 percent of the fiscal year 1989 har-
12 vested volume in the Wayne National Forest, Ohio: *Pro-*
13 *vided*, That this limitation shall not apply to hardwood
14 stands damaged by natural disaster: *Provided further*,
15 That landscape architects shall be used to maintain a vis-
16 ually pleasing forest.

17 Any money collected from the States for fire suppres-
18 sion assistance rendered by the Forest Service on non-
19 Federal lands not in the vicinity of National Forest Sys-
20 tem lands shall be used to reimburse the applicable appro-
21 priation and shall remain available until expended as the
22 Secretary may direct in conducting activities authorized
23 by 16 U.S.C. 2101 (note), 2101-2110, 1606, and 2111.

1 Of the funds available to the Forest Service, \$1,500
2 is available to the Chief of the Forest Service for official
3 reception and representation expenses.

4 Notwithstanding any other provision of law, the For-
5 est Service is authorized to employ or otherwise contract
6 with persons at regular rates of pay, as determined by the
7 Service, to perform work occasioned by emergencies such
8 as fires, storms, floods, earthquakes or any other unavoid-
9 able cause without regard to Sundays, Federal holidays,
10 and the regular workweek.

11 To the greatest extent possible, and in accordance
12 with the Final Amendment to the Shawnee National For-
13 est Plan, none of the funds available in this Act shall be
14 used for preparation of timber sales using clearcutting or
15 other forms of even aged management in hardwood stands
16 in the Shawnee National Forest, Illinois.

17 Funds appropriated to the Forest Service shall be
18 available for interactions with and providing technical as-
19 sistance to rural communities for sustainable rural devel-
20 opment purposes.

21 Notwithstanding any other provision of law, eighty
22 percent of the funds appropriated to the Forest Service
23 in the National Forest System and Construction accounts
24 and planned to be allocated to activities under the “Jobs
25 in the Woods” program for projects on National Forest

1 land in the State of Washington may be granted directly
2 to the Washington State Department of Fish and Wildlife
3 for accomplishment of planned projects. Twenty percent
4 of said funds shall be retained by the Forest Service for
5 planning and administering projects. Project selection and
6 prioritization shall be accomplished by the Forest Service
7 with such consultation with the State of Washington as
8 the Forest Service deems appropriate.

9 For one year after enactment of this Act, the Sec-
10 retary shall continue the current Tongass Land Manage-
11 ment Plan (TLMP) and may accommodate commercial
12 tourism (if an agreement is signed between the Forest
13 Service and the Alaska Visitors' Association) except that
14 during this period, the Secretary shall maintain at least
15 the number of acres of suitable available and suitable
16 scheduled timber lands, and Allowable Sale Quantity, as
17 identified in the Preferred Alternative (Alternative P) in
18 the Tongass Land and Resources Management Plan and
19 Final Environmental Impact Statement (dated October
20 1992) as selected in the Record of Decision Review Draft
21 #3-2/93.

22 Nothing in this section shall be interpreted to man-
23 date clear-cutting or require the sale of timber and noth-
24 ing in this section, including the ASQ identified in Alter-
25 native P, shall be construed to limit the Secretary's con-

1 sideration of new information or prejudice future revision,
2 amendment or modification of TLMP based upon sound,
3 verifiable scientific data.

4 If the Forest Service determines in a Supplemental
5 Evaluation to an Environmental Impact Statement that
6 no additional analysis under the National Environmental
7 Policy Act or section 810 of the Alaska National Interest
8 Lands Conservation Act is necessary for any timber sale
9 or offering which has been prepared for acceptance by, or
10 award to, a purchaser after December 31, 1988, that has
11 been subsequently determined by the Forest Service to be
12 available for sale or offering to one or more other pur-
13 chaser, the change of purchasers for whatever reason shall
14 not be considered a significant new circumstance, and the
15 Forest Service may offer or award such timber sale or of-
16 fering to a different purchaser or offeree, notwithstanding
17 any other provision of law. A determination by the Forest
18 Service pursuant to this paragraph shall not be subject
19 to judicial review.

20 None of the funds appropriated under this Act for
21 the Forest Service shall be made available for the purpose
22 of applying paint to rocks, or rock colorization: *Provided,*
23 That notwithstanding any other provision of law, the For-
24 est Service shall not require of any individual or entity,
25 as part of any permitting process under its authority, or

1 as a requirement of compliance with the National Environ-
2 mental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the
3 painting or colorization of rocks.

4 DEPARTMENT OF ENERGY

5 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

6 For necessary expenses in carrying out fossil energy
7 research and development activities, under the authority
8 of the Department of Energy Organization Act (Public
9 Law 95–91), including the acquisition of interest, includ-
10 ing defeasible and equitable interests in any real property
11 or any facility or for plant or facility acquisition or expan-
12 sion, and for promoting health and safety in mines and
13 the mineral industry through research (30 U.S.C. 3,
14 861(b), and 951(a)), for conducting inquiries, techno-
15 logical investigations and research concerning the extrac-
16 tion, processing, use, and disposal of mineral substances
17 without objectionable social and environmental costs (30
18 U.S.C. 3, 1602, and 1603), and for the development of
19 methods for the disposal, control, prevention, and reclama-
20 tion of waste products in the mining, minerals, metal, and
21 mineral reclamation industries (30 U.S.C. 3 and 21a),
22 \$416,943,000, to remain available until expended: *Pro-*
23 *vided*, That no part of the sum herein made available shall
24 be used for the field testing of nuclear explosives in the
25 recovery of oil and gas.

1 ALTERNATIVE FUELS PRODUCTION
2 (INCLUDING TRANSFER OF FUNDS)

3 Monies received as investment income on the prin-
4 cipal amount in the Great Plains Project Trust at the
5 Norwest Bank of North Dakota, in such sums as are
6 earned as of October 1, 1995, shall be deposited in this
7 account and immediately transferred to the General Fund
8 of the Treasury. Monies received as revenue sharing from
9 the operation of the Great Plains Gasification Plant shall
10 be immediately transferred to the General Fund of the
11 Treasury.

12 NAVAL PETROLEUM AND OIL SHALE RESERVES

13 For necessary expenses in carrying out naval petro-
14 leum and oil shale reserve activities, \$148,786,000, to re-
15 main available until expended: *Provided*, That the require-
16 ments of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal
17 year 1996: *Provided further*, That section 501 of Public
18 Law 101–45 is hereby repealed.

19 ENERGY CONSERVATION

20 For necessary expenses in carrying out energy con-
21 servation activities, \$553,137,000, to remain available
22 until expended, including, notwithstanding any other pro-
23 vision of law, the excess amount for fiscal year 1996 deter-
24 mined under the provisions of section 3003(d) of Public
25 Law 99–509 (15 U.S.C. 4502), and of which \$16,000,000

1 shall be derived from available unobligated balances in the
2 Biomass Energy Development account: *Provided*, That
3 \$140,696,000 shall be for use in energy conservation pro-
4 grams as defined in section 3008(3) of Public Law 99-
5 509 (15 U.S.C. 4507) and shall not be available until ex-
6 cess amounts are determined under the provisions of sec-
7 tion 3003(d) of Public Law 99-509 (15 U.S.C. 4502):
8 *Provided further*, That notwithstanding section 3003(d)(2)
9 of Public Law 99-509 such sums shall be allocated to the
10 eligible programs as follows: \$114,196,000 for the weath-
11 erization assistance program and \$26,500,000 for the
12 State energy conservation program.

13 **ECONOMIC REGULATION**

14 For necessary expenses in carrying out the activities
15 of the Economic Regulatory Administration and the Office
16 of Hearings and Appeals, \$6,297,000, to remain available
17 until expended.

18 **STRATEGIC PETROLEUM RESERVE**

19 **(INCLUDING TRANSFER OF FUNDS)**

20 For necessary expenses for Strategic Petroleum Re-
21 serve facility development and operations and program
22 management activities pursuant to the Energy Policy and
23 Conservation Act of 1975, as amended (42 U.S.C. 6201
24 et seq.), \$287,000,000, to remain available until expended,
25 of which \$187,000,000 shall be derived by transfer of un-

1 obligated balances from the “SPR petroleum account” and
2 \$100,000,000 shall be derived by transfer from the “SPR
3 Decommissioning Fund”: *Provided*, That notwithstanding
4 section 161 of the Energy Policy and Conservation Act,
5 the Secretary shall draw down and sell up to seven million
6 barrels of oil from the Strategic Petroleum Reserve: *Pro-*
7 *vided further*, That the proceeds from the sale shall be de-
8 posited into a special account in the Treasury, to be estab-
9 lished and known as the “SPR Decommissioning Fund”,
10 and shall be available for the purpose of removal of oil
11 from and decommissioning of the Weeks Island site and
12 for other purposes related to the operations of the Strate-
13 gic Petroleum Reserve.

14 SPR PETROLEUM ACCOUNT

15 Notwithstanding 42 U.S.C. 6240(d) the United
16 States share of crude oil in Naval Petroleum Reserve
17 Numbered 1 (Elk Hills) may be sold or otherwise disposed
18 of to other than the Strategic Petroleum Reserve: *Pro-*
19 *vided*, That outlays in fiscal year 1996 resulting from the
20 use of funds in this account shall not exceed \$5,000,000.

21 ENERGY INFORMATION ADMINISTRATION

22 For necessary expenses in carrying out the activities
23 of the Energy Information Administration, \$72,266,000,
24 to remain available until expended: *Provided*, That not-
25 withstanding section 4(d) of the Service Contract Act of

1 1965 (41 U.S.C. 353(d)) or any other provision of law,
2 funds appropriated under this heading hereafter may be
3 used to enter into a contract for end use consumption sur-
4 veys for a term not to exceed eight years: *Provided further*,
5 That notwithstanding any other provision of law, hereafter
6 the Manufacturing Energy Consumption Survey shall be
7 conducted on a triennial basis.

8 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

9 Appropriations under this Act for the current fiscal
10 year shall be available for hire of passenger motor vehicles;
11 hire, maintenance, and operation of aircraft; purchase, re-
12 pair, and cleaning of uniforms; and reimbursement to the
13 General Services Administration for security guard serv-
14 ices.

15 From appropriations under this Act, transfers of
16 sums may be made to other agencies of the Government
17 for the performance of work for which the appropriation
18 is made.

19 None of the funds made available to the Department
20 of Energy under this Act shall be used to implement or
21 finance authorized price support or loan guarantee pro-
22 grams unless specific provision is made for such programs
23 in an appropriations Act.

24 The Secretary is authorized to accept lands, build-
25 ings, equipment, and other contributions from public and

1 private sources and to prosecute projects in cooperation
2 with other agencies, Federal, State, private, or foreign:
3 *Provided*, That revenues and other moneys received by or
4 for the account of the Department of Energy or otherwise
5 generated by sale of products in connection with projects
6 of the Department appropriated under this Act may be
7 retained by the Secretary of Energy, to be available until
8 expended, and used only for plant construction, operation,
9 costs, and payments to cost-sharing entities as provided
10 in appropriate cost-sharing contracts or agreements: *Pro-*
11 *vided further*, That the remainder of revenues after the
12 making of such payments shall be covered into the Treas-
13 ury as miscellaneous receipts: *Provided further*, That any
14 contract, agreement, or provision thereof entered into by
15 the Secretary pursuant to this authority shall not be exe-
16 cuted prior to the expiration of 30 calendar days (not in-
17 cluding any day in which either House of Congress is not
18 in session because of adjournment of more than three cal-
19 endar days to a day certain) from the receipt by the
20 Speaker of the House of Representatives and the Presi-
21 dent of the Senate of a full comprehensive report on such
22 project, including the facts and circumstances relied upon
23 in support of the proposed project.

24 No funds provided in this Act may be expended by
25 the Department of Energy to prepare, issue, or process

1 procurement documents for programs or projects for
2 which appropriations have not been made.

3 DEPARTMENT OF HEALTH AND HUMAN
4 SERVICES

5 INDIAN HEALTH SERVICE

6 INDIAN HEALTH SERVICES

7 For expenses necessary to carry out the Act of Au-
8 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
9 tion Act, the Indian Health Care Improvement Act, and
10 titles II and III of the Public Health Service Act with re-
11 spect to the Indian Health Service, \$1,747,842,000, to-
12 gether with payments received during the fiscal year pur-
13 suant to 42 U.S.C. 300aaa-2 for services furnished by the
14 Indian Health Service: *Provided*, That funds made avail-
15 able to tribes and tribal organizations through contracts,
16 grant agreements, or any other agreements or compacts
17 authorized by the Indian Self-Determination and Edu-
18 cation Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C.
19 450), shall be deemed to be obligated at the time of the
20 grant or contract award and thereafter shall remain avail-
21 able to the tribe or tribal organization without fiscal year
22 limitation: *Provided further*, That \$12,000,000 shall re-
23 main available until expended, for the Indian Catastrophic
24 Health Emergency Fund: *Provided further*, That
25 \$350,564,000 for contract medical care shall remain avail-

1 able for obligation until September 30, 1997: *Provided fur-*
2 *ther*, That of the funds provided, not less than
3 \$11,306,000 shall be used to carry out the loan repayment
4 program under section 108 of the Indian Health Care Im-
5 provement Act, as amended: *Provided further*, That funds
6 provided in this Act may be used for one-year contracts
7 and grants which are to be performed in two fiscal years,
8 so long as the total obligation is recorded in the year for
9 which the funds are appropriated: *Provided further*, That
10 the amounts collected by the Secretary of Health and
11 Human Services under the authority of title IV of the In-
12 dian Health Care Improvement Act shall be available for
13 two fiscal years after the fiscal year in which they were
14 collected, for the purpose of achieving compliance with the
15 applicable conditions and requirements of titles XVIII and
16 XIX of the Social Security Act (exclusive of planning, de-
17 sign, or construction of new facilities): *Provided further*,
18 That of the funds provided, \$7,500,000 shall remain avail-
19 able until expended, for the Indian Self-Determination
20 Fund, which shall be available for the transitional costs
21 of initial or expanded tribal contracts, grants or coopera-
22 tive agreements with the Indian Health Service under the
23 provisions of the Indian Self-Determination Act: *Provided*
24 *further*, That funding contained herein, and in any earlier
25 appropriations Acts for scholarship programs under the

1 Indian Health Care Improvement Act (25 U.S.C. 1613)
2 shall remain available for obligation until September 30,
3 1997: *Provided further*, That amounts received by tribes
4 and tribal organizations under title IV of the Indian
5 Health Care Improvement Act, as amended, shall be re-
6 ported and accounted for and available to the receiving
7 tribes and tribal organizations until expended.

8 INDIAN HEALTH FACILITIES

9 For construction, repair, maintenance, improvement,
10 and equipment of health and related auxiliary facilities,
11 including quarters for personnel; preparation of plans,
12 specifications, and drawings; acquisition of sites, purchase
13 and erection of modular buildings, and purchases of trail-
14 ers; and for provision of domestic and community sanita-
15 tion facilities for Indians, as authorized by section 7 of
16 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
17 Self-Determination Act and the Indian Health Care Im-
18 provement Act, and for expenses necessary to carry out
19 the Act of August 5, 1954 (68 Stat. 674), the Indian Self-
20 Determination Act, the Indian Health Care Improvement
21 Act, and titles II and III of the Public Health Service Act
22 with respect to environmental health and facilities support
23 activities of the Indian Health Service, \$238,958,000, to
24 remain available until expended: *Provided*, That notwith-
25 standing any other provision of law, funds appropriated

1 for the planning, design, construction or renovation of
2 health facilities for the benefit of an Indian tribe or tribes
3 may be used to purchase land for sites to construct, im-
4 prove, or enlarge health or related facilities.

5 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

6 Appropriations in this Act to the Indian Health Serv-
7 ice shall be available for services as authorized by 5 U.S.C.
8 3109 but at rates not to exceed the per diem rate equiva-
9 lent to the maximum rate payable for senior-level positions
10 under 5 U.S.C. 5376; hire of passenger motor vehicles and
11 aircraft; purchase of medical equipment; purchase of re-
12 prints; purchase, renovation and erection of modular
13 buildings and renovation of existing facilities; payments
14 for telephone service in private residences in the field,
15 when authorized under regulations approved by the Sec-
16 retary; and for uniforms or allowances therefor as author-
17 ized by law (5 U.S.C. 5901–5902); and for expenses of
18 attendance at meetings which are concerned with the func-
19 tions or activities for which the appropriation is made or
20 which will contribute to improved conduct, supervision, or
21 management of those functions or activities: *Provided,*
22 That in accordance with the provisions of the Indian
23 Health Care Improvement Act, non-Indian patients may
24 be extended health care at all tribally administered or In-
25 dian Health Service facilities, subject to charges, and the

1 proceeds along with funds recovered under the Federal
2 Medical Care Recovery Act (42 U.S.C. 2651–53) shall be
3 credited to the account of the facility providing the service
4 and shall be available without fiscal year limitation: *Pro-*
5 *vided further*, That notwithstanding any other law or regu-
6 lation, funds transferred from the Department of Housing
7 and Urban Development to the Indian Health Service
8 shall be administered under Public Law 86–121 (the In-
9 dian Sanitation Facilities Act) and Public Law 93–638,
10 as amended: *Provided further*, That funds appropriated to
11 the Indian Health Service in this Act, except those used
12 for administrative and program direction purposes, shall
13 not be subject to limitations directed at curtailing Federal
14 travel and transportation: *Provided further*, That the In-
15 dian Health Service shall neither bill nor charge those In-
16 dians who may have the economic means to pay unless
17 and until such time as Congress has agreed upon a specific
18 policy to do so and has directed the Indian Health Service
19 to implement such a policy: *Provided further*, That, not-
20 withstanding any other provision of law, funds previously
21 or herein made available to a tribe or tribal organization
22 through a contract, grant or agreement authorized by title
23 I of the Indian Self-Determination and Education Assist-
24 ance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), may
25 be deobligated and reobligated to a self-governance fund-

1 ing agreement under title III of the Indian Self-Deter-
2 mination and Education Assistance Act of 1975 and
3 thereafter shall remain available to the tribe or tribal orga-
4 nization without fiscal year limitation: *Provided further,*
5 That none of the funds made available to the Indian
6 Health Service in this Act shall be used to implement the
7 final rule published in the Federal Register on September
8 16, 1987, by the Department of Health and Human Serv-
9 ices, relating to eligibility for the health care services of
10 the Indian Health Service until the Indian Health Service
11 has submitted a budget request reflecting the increased
12 costs associated with the proposed final rule, and such re-
13 quest has been included in an appropriations Act and en-
14 acted into law: *Provided further,* That funds made avail-
15 able in this Act are to be apportioned to the Indian Health
16 Service as appropriated in this Act, and accounted for in
17 the appropriation structure set forth in this Act: *Provided*
18 *further,* That the appropriation structure for the Indian
19 Health Service may not be altered without advance ap-
20 proval of the House and Senate Committees on Appropria-
21 tions.

1 DEPARTMENT OF EDUCATION

2 OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

3 INDIAN EDUCATION

4 For necessary expenses to carry out, to the extent
5 not otherwise provided, title IX, part A, subpart 1 of the
6 Elementary and Secondary Education Act of 1965, as
7 amended, and section 215 of the Department of Education
8 Organization Act, \$52,500,000.

9 OTHER RELATED AGENCIES

10 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of Navajo and
13 Hopi Indian Relocation as authorized by Public Law 93–
14 531, \$20,345,000, to remain available until expended:
15 *Provided*, That funds provided in this or any other appro-
16 priations Act are to be used to relocate eligible individuals
17 and groups including evictees from District 6, Hopi-parti-
18 tioned lands residents, those in significantly substandard
19 housing, and all others certified as eligible and not in-
20 cluded in the preceding categories: *Provided further*, That
21 none of the funds contained in this or any other Act may
22 be used by the Office of Navajo and Hopi Indian Reloca-
23 tion to evict any single Navajo or Navajo family who, as
24 of November 30, 1985, was physically domiciled on the
25 lands partitioned to the Hopi Tribe unless a new or re-

1 placement home is provided for such household: *Provided*
2 *further*, That no relocatee will be provided with more than
3 one new or replacement home: *Provided further*, That the
4 Office shall relocate any certified eligible relocatees who
5 have selected and received an approved homesite on the
6 Navajo reservation or selected a replacement residence off
7 the Navajo reservation or on the land acquired pursuant
8 to 25 U.S.C. 640d–10.

9 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
10 CULTURE AND ARTS DEVELOPMENT

11 PAYMENT TO THE INSTITUTE

12 For payment to the Institute of American Indian and
13 Alaska Native Culture and Arts Development, as author-
14 ized by title XV of Public Law 99–498 (20 U.S.C. 4401
15 et seq.), \$5,500,000.

16 SMITHSONIAN INSTITUTION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Smithsonian Institu-
19 tion, as authorized by law, including research in the fields
20 of art, science, and history; development, preservation, and
21 documentation of the National Collections; presentation of
22 public exhibits and performances; collection, preparation,
23 dissemination, and exchange of information and publica-
24 tions; conduct of education, training, and museum assist-
25 ance programs; maintenance, alteration, operation, lease

1 (for terms not to exceed thirty years), and protection of
2 buildings, facilities, and approaches; not to exceed
3 \$100,000 for services as authorized by 5 U.S.C. 3109; up
4 to 5 replacement passenger vehicles; purchase, rental, re-
5 pair, and cleaning of uniforms for employees;
6 \$308,188,000, of which not to exceed \$30,472,000 for the
7 instrumentation program, collections acquisition, Museum
8 Support Center equipment and move, exhibition
9 reinstallation, the National Museum of the American In-
10 dian, the repatriation of skeletal remains program, re-
11 search equipment, information management, and Latino
12 programming shall remain available until expended and,
13 including such funds as may be necessary to support
14 American overseas research centers and a total of
15 \$125,000 for the Council of American Overseas Research
16 Centers: *Provided*, That funds appropriated herein are
17 available for advance payments to independent contractors
18 performing research services or participating in official
19 Smithsonian presentations.

20 CONSTRUCTION AND IMPROVEMENTS, NATIONAL
21 ZOOLOGICAL PARK

22 For necessary expenses of planning, construction, re-
23 modeling, and equipping of buildings and facilities at the
24 National Zoological Park, by contract or otherwise,
25 \$3,250,000, to remain available until expended.

1 REPAIR AND RESTORATION OF BUILDINGS

2 For necessary expenses of repair and restoration of
3 buildings owned or occupied by the Smithsonian Institu-
4 tion, by contract or otherwise, as authorized by section
5 2 of the Act of August 22, 1949 (63 Stat. 623), including
6 not to exceed \$10,000 for services as authorized by 5
7 U.S.C. 3109, \$33,954,000, to remain available until ex-
8 pended: *Provided*, That contracts awarded for environ-
9 mental systems, protection systems, and exterior repair or
10 restoration of buildings of the Smithsonian Institution
11 may be negotiated with selected contractors and awarded
12 on the basis of contractor qualifications as well as price.

13 CONSTRUCTION

14 For necessary expenses for construction,
15 \$27,700,000, to remain available until expended.

16 NATIONAL GALLERY OF ART

17 SALARIES AND EXPENSES

18 For the upkeep and operations of the National Gal-
19 lery of Art, the protection and care of the works of art
20 therein, and administrative expenses incident thereto, as
21 authorized by the Act of March 24, 1937 (50 Stat. 51),
22 as amended by the public resolution of April 13, 1939
23 (Public Resolution 9, Seventy-sixth Congress), including
24 services as authorized by 5 U.S.C. 3109; payment in ad-
25 vance when authorized by the treasurer of the Gallery for

1 membership in library, museum, and art associations or
2 societies whose publications or services are available to
3 members only, or to members at a price lower than to the
4 general public; purchase, repair, and cleaning of uniforms
5 for guards, and uniforms, or allowances therefor, for other
6 employees as authorized by law (5 U.S.C. 5901–5902);
7 purchase or rental of devices and services for protecting
8 buildings and contents thereof, and maintenance, alter-
9 ation, improvement, and repair of buildings, approaches,
10 and grounds; and purchase of services for restoration and
11 repair of works of art for the National Gallery of Art by
12 contracts made, without advertising, with individuals,
13 firms, or organizations at such rates or prices and under
14 such terms and conditions as the Gallery may deem prop-
15 er, \$51,844,000, of which not to exceed \$3,026,000 for
16 the special exhibition program shall remain available until
17 expended.

18 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

19 For necessary expenses of repair, restoration and
20 renovation of buildings, grounds and facilities owned or
21 occupied by the National Gallery of Art, by contract or
22 otherwise, as authorized, \$6,442,000, to remain available
23 until expended: *Provided*, That contracts awarded for envi-
24 ronmental systems, protection systems, and exterior repair
25 or renovation of buildings of the National Gallery of Art

1 may be negotiated with selected contractors and awarded
2 on the basis of contractor qualifications as well as price.

3 JOHN F. KENNEDY CENTER FOR THE PERFORMING
4 ARTS
5 OPERATIONS AND MAINTENANCE

6 For necessary expenses for the operation, mainte-
7 nance and security of the John F. Kennedy Center for
8 the Performing Arts, \$10,323,000: *Provided*, That 40
9 U.S.C. 193n is hereby amended by striking the word
10 “and” after the word “Institution” and inserting in lieu
11 thereof a comma, and by inserting “and the Trustees of
12 the John F. Kennedy Center for the Performing Arts,”
13 after the word “Art,”.

14 CONSTRUCTION

15 For necessary expenses of capital repair and rehabili-
16 tation of the existing features of the building and site of
17 the John F. Kennedy Center for the Performing Arts,
18 \$8,983,000, to remain available until expended.

19 WOODROW WILSON INTERNATIONAL CENTER FOR
20 SCHOLARS

21 SALARIES AND EXPENSES

22 For expenses necessary in carrying out the provisions
23 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
24 1356) including hire of passenger vehicles and services as
25 authorized by 5 U.S.C. 3109, \$5,840,000.

1 NATIONAL FOUNDATION ON THE ARTS AND THE
2 HUMANITIES
3 NATIONAL ENDOWMENT FOR THE ARTS
4 GRANTS AND ADMINISTRATION

5 For necessary expenses to carry out the National
6 Foundation on the Arts and the Humanities Act of 1965,
7 as amended, \$82,259,000, shall be available to the Na-
8 tional Endowment for the Arts for the support of projects
9 and productions in the arts through assistance to groups
10 and individuals pursuant to section 5(c) of the Act, and
11 for administering the functions of the Act, to remain avail-
12 able until September 30, 1997.

13 MATCHING GRANTS

14 To carry out the provisions of section 10(a)(2) of the
15 National Foundation on the Arts and the Humanities Act
16 of 1965, as amended, \$17,235,000, to remain available
17 until September 30, 1997, to the National Endowment for
18 the Arts, of which \$7,500,000 shall be available for pur-
19 poses of section 5(p)(1): *Provided*, That this appropriation
20 shall be available for obligation only in such amounts as
21 may be equal to the total amounts of gifts, bequests, and
22 devises of money, and other property accepted by the
23 Chairman or by grantees of the Endowment under the
24 provisions of section 10(a)(2), subsections 11(a)(2)(A)
25 and 11(a)(3)(A) during the current and preceding fiscal

1 years for which equal amounts have not previously been
2 appropriated.

3 NATIONAL ENDOWMENT FOR THE HUMANITIES

4 GRANTS AND ADMINISTRATION

5 For necessary expenses to carry out the National
6 Foundation on the Arts and the Humanities Act of 1965,
7 as amended, \$94,000,000, shall be available to the Na-
8 tional Endowment for the Humanities for support of ac-
9 tivities in the humanities, pursuant to section 7(c) of the
10 Act, and for administering the functions of the Act, to
11 remain available until September 30, 1997.

12 MATCHING GRANTS

13 To carry out the provisions of section 10(a)(2) of the
14 National Foundation on the Arts and the Humanities Act
15 of 1965, as amended, \$16,000,000, to remain available
16 until September 30, 1997, of which \$10,000,000 shall be
17 available to the National Endowment for the Humanities
18 for the purposes of section 7(h): *Provided*, That this ap-
19 propriation shall be available for obligation only in such
20 amounts as may be equal to the total amounts of gifts,
21 bequests, and devises of money, and other property accept-
22 ed by the Chairman or by grantees of the Endowment
23 under the provisions of subsections 11(a)(2)(B) and
24 11(a)(3)(B) during the current and preceding fiscal years
25 for which equal amounts have not previously been appro-
26 priated.

1 INSTITUTE OF MUSEUM SERVICES

2 GRANTS AND ADMINISTRATION

3 For carrying out title II of the Arts, Humanities, and
4 Cultural Affairs Act of 1976, as amended, \$21,000,000,
5 to remain available until September 30, 1997.

6 ADMINISTRATIVE PROVISIONS

7 None of the funds appropriated to the National
8 Foundation on the Arts and the Humanities may be used
9 to process any grant or contract documents which do not
10 include the text of 18 U.S.C. 1913: *Provided*, That none
11 of the funds appropriated to the National Foundation on
12 the Arts and the Humanities may be used for official re-
13 ception and representation expenses.

14 COMMISSION OF FINE ARTS

15 SALARIES AND EXPENSES

16 For expenses made necessary by the Act establishing
17 a Commission of Fine Arts (40 U.S.C. 104), \$834,000.

18 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

19 For necessary expenses as authorized by Public Law
20 99–190 (99 Stat. 1261; 20 U.S.C. 956(a)), as amended,
21 \$6,000,000.

22 ADVISORY COUNCIL ON HISTORIC PRESERVATION

23 SALARIES AND EXPENSES

24 For expenses necessary for the Advisory Council on
25 Historic Preservation, \$2,500,000.

1 NATIONAL CAPITAL PLANNING COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses, as authorized by the Na-
4 tional Capital Planning Act of 1952 (40 U.S.C. 71–71i),
5 including services as authorized by 5 U.S.C. 3109,
6 \$5,090,000: *Provided*, That all appointed members will be
7 compensated at a rate not to exceed the rate for Executive
8 Schedule Level IV.

9 FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

10 SALARIES AND EXPENSES

11 For necessary expenses of the Franklin Delano Roo-
12 sevelt Memorial Commission, established by the Act of Au-
13 gust 11, 1955 (69 Stat. 694), as amended by Public Law
14 92–332 (86 Stat. 401), \$147,000, to remain available
15 until September 30, 1997.

16 PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

17 PUBLIC DEVELOPMENT

18 Funds made available under this heading in prior
19 years shall be available for operating and administrative
20 expenses and for the orderly closure of the Corporation,
21 as well as operating and administrative expenses for the
22 functions transferred to the General Services Administra-
23 tion.

1 UNITED STATES HOLOCAUST MEMORIAL COUNCIL
2 HOLOCAUST MEMORIAL COUNCIL

3 For expenses of the Holocaust Memorial Council, as
4 authorized by Public Law 96-388, as amended,
5 \$28,707,000; of which \$1,575,000 for the Museum's re-
6 pair and rehabilitation program and \$1,264,000 for the
7 Museum's exhibition program shall remain available until
8 expended.

9 TITLE III—GENERAL PROVISIONS

10 SEC. 301. The expenditure of any appropriation
11 under this Act for any consulting service through procure-
12 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
13 to those contracts where such expenditures are a matter
14 of public record and available for public inspection, except
15 where otherwise provided under existing law, or under ex-
16 isting Executive order issued pursuant to existing law.

17 SEC. 302. No part of any appropriation under this
18 Act shall be available to the Secretary of the Interior or
19 the Secretary of Agriculture for the leasing of oil and nat-
20 ural gas by noncompetitive bidding on publicly owned
21 lands within the boundaries of the Shawnee National For-
22 est, Illinois: *Provided*, That nothing herein is intended to
23 inhibit or otherwise affect the sale, lease, or right to access
24 to minerals owned by private individuals.

1 SEC. 303. No part of any appropriation contained in
2 this Act shall be available for any activity or the publica-
3 tion or distribution of literature that in any way tends to
4 promote public support or opposition to any legislative
5 proposal on which congressional action is not complete.

6 SEC. 304. No part of any appropriation contained in
7 this Act shall remain available for obligation beyond the
8 current fiscal year unless expressly so provided herein.

9 SEC. 305. None of the funds provided in this Act to
10 any department or agency shall be obligated or expended
11 to provide a personal cook, chauffeur, or other personal
12 servants to any officer or employee of such department
13 or agency except as otherwise provided by law.

14 SEC. 306. No assessments may be levied against any
15 program, budget activity, subactivity, or project funded by
16 this Act unless notice of such assessments and the basis
17 therefor are presented to the Committees on Appropria-
18 tions and are approved by such Committees.

19 SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN
20 ACT.—None of the funds made available in this Act may
21 be expended by an entity unless the entity agrees that in
22 expending the funds the entity will comply with sections
23 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–
24 10c; popularly known as the “Buy American Act”).

1 (b) SENSE OF CONGRESS; REQUIREMENT REGARD-
2 ING NOTICE.—

3 (1) PURCHASE OF AMERICAN-MADE EQUIPMENT
4 AND PRODUCTS.—In the case of any equipment or
5 product that may be authorized to be purchased
6 with financial assistance provided using funds made
7 available in this Act, it is the sense of the Congress
8 that entities receiving the assistance should, in ex-
9 pending the assistance, purchase only American-
10 made equipment and products.

11 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—
12 In providing financial assistance using funds made
13 available in this Act, the head of each Federal agen-
14 cy shall provide to each recipient of the assistance
15 a notice describing the statement made in paragraph
16 (1) by the Congress.

17 (c) PROHIBITION OF CONTRACTS WITH PERSONS
18 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
19 If it has been finally determined by a court or Federal
20 agency that any person intentionally affixed a label bear-
21 ing a “Made in America” inscription, or any inscription
22 with the same meaning, to any product sold in or shipped
23 to the United States that is not made in the United
24 States, the person shall be ineligible to receive any con-
25 tract or subcontract made with funds made available in

1 this Act, pursuant to the debarment, suspension, and ineli-
2 gibility procedures described in sections 9.400 through
3 9.409 of title 48, Code of Federal Regulations.

4 SEC. 308. None of the funds in this Act may be used
5 to plan, prepare, or offer for sale timber from trees classi-
6 fied as giant sequoia (*sequoiadendron giganteum*) which
7 are located on National Forest System or Bureau of Land
8 Management lands in a manner different than such sales
9 were conducted in fiscal year 1995.

10 SEC. 309. None of the funds made available by this
11 Act may be obligated or expended by the National Park
12 Service to enter into or implement a concession contract
13 which permits or requires the removal of the underground
14 lunchroom at the Carlsbad Caverns National Park.

15 SEC. 310. Where the actual costs of construction
16 projects under self-determination contracts, compacts, or
17 grants, pursuant to Public Laws 93-638, 103-413, or
18 100-297, are less than the estimated costs thereof, use
19 of the resulting excess funds shall be determined by the
20 appropriate Secretary after consultation with the tribes.

21 SEC. 311. Notwithstanding Public Law 103-413,
22 quarterly payments of funds to tribes and tribal organiza-
23 tions under annual funding agreements pursuant to sec-
24 tion 108 of Public Law 93-638, as amended, may be made

1 on the first business day following the first day of a fiscal
2 quarter.

3 SEC. 312. None of the funds appropriated or other-
4 wise made available by this Act may be used for the
5 AmeriCorps program, unless the relevant agencies of the
6 Department of the Interior and/or Agriculture follow ap-
7 propriate reprogramming guidelines: *Provided*, That if no
8 funds are provided for the AmeriCorps program by the
9 VA–HUD and Independent Agencies fiscal year 1996 ap-
10 propriations bill, then none of the funds appropriated or
11 otherwise made available by this Act may be used for the
12 AmeriCorps programs.

13 SEC. 313. (a) On or before April 1, 1996, the Penn-
14 sylvania Avenue Development Corporation shall—

15 (1) transfer and assign in accordance with this
16 section all of its rights, title, and interest in and to
17 all of the leases, covenants, agreements, and ease-
18 ments it has executed or will execute by March 31,
19 1996, in carrying out its powers and duties under
20 the Pennsylvania Avenue Development Corporation
21 Act (40 U.S.C. 871–885) and the Federal Triangle
22 Development Act (40 U.S.C. 1101–1109) to the
23 General Services Administration, National Capital
24 Planning Commission, or the National Park Service;
25 and

1 (2) except as provided by subsection (d), trans-
2 fer all rights, title, and interest in and to all prop-
3 erty, both real and personal, held in the name of the
4 Pennsylvania Avenue Development Corporation to
5 the General Services Administration.

6 (b) The responsibilities of the Pennsylvania Avenue
7 Development Corporation transferred to the General Serv-
8 ices Administration under subsection (a) include, but are
9 not limited to, the following:

10 (1) Collection of revenue owed the Federal Gov-
11 ernment as a result of real estate sales or lease
12 agreements entered into by the Pennsylvania Avenue
13 Development Corporation and private parties, in-
14 cluding, at a minimum, with respect to the following
15 projects:

16 (A) The Willard Hotel property on Square
17 225.

18 (B) The Gallery Row project on Square
19 457.

20 (C) The Lansburgh's project on Square
21 431.

22 (D) The Market Square North project on
23 Square 407.

24 (2) Collection of sale or lease revenue owed the
25 Federal Government (if any) in the event two unde-

1 developed sites owned by the Pennsylvania Avenue De-
2 velopment Corporation on Squares 457 and 406 are
3 sold or leased prior to April 1, 1996.

4 (3) Application of collected revenue to repay
5 United States Treasury debt incurred by the Penn-
6 sylvania Avenue Development Corporation in the
7 course of acquiring real estate.

8 (4) Performing financial audits for projects in
9 which the Pennsylvania Avenue Development Cor-
10 poration has actual or potential revenue expectation,
11 as identified in paragraphs (1) and (2), in accord-
12 ance with procedures described in applicable sale or
13 lease agreements.

14 (5) Disposition of real estate properties which
15 are or become available for sale and lease or other
16 uses.

17 (6) Payment of benefits in accordance with the
18 Uniform Relocation Assistance and Real Property
19 Acquisitions Policies Act of 1970 to which persons
20 in the project area squares are entitled as a result
21 of the Pennsylvania Avenue Development Corpora-
22 tion's acquisition of real estate.

23 (7) Carrying out the responsibilities of the
24 Pennsylvania Avenue Development Corporation
25 under the Federal Triangle Development Act (40

1 U.S.C. 1101–1109), including responsibilities for
2 managing assets and liabilities of the Corporation
3 under such Act.

4 (c) In carrying out the responsibilities of the Penn-
5 sylvania Avenue Development Corporation transferred
6 under this section, the Administrator of the General Serv-
7 ices Administration shall have the following powers:

8 (1) To acquire lands, improvements, and prop-
9 erties by purchase, lease or exchange, and to sell,
10 lease, or otherwise dispose of real or personal prop-
11 erty as necessary to complete the development plan
12 developed under section 5 of the Pennsylvania Ave-
13 nue Development Corporation Act of 1972 (40
14 U.S.C. 874) if a notice of intention to carry out such
15 acquisition or disposal is first transmitted to the
16 Committee on Transportation and Infrastructure
17 and the Committee on Appropriations of the House
18 of Representatives and the Committee on Environ-
19 ment and Public Works and the Committee on Ap-
20 propriations of the Senate and at least 60 days
21 elapse after the date of such transmission.

22 (2) To modify from time to time the plan re-
23 ferred to in paragraph (1) if such modification is
24 first transmitted to the Committee on Transpor-
25 tation and Infrastructure and the Committee on Ap-

1 appropriations of the House of Representatives and the
2 Committee on Environment and Public Works and
3 the Committee on Appropriations of the Senate and
4 at least 60 days elapse after the date of such trans-
5 mission.

6 (3) To maintain any existing Pennsylvania Ave-
7 nue Development Corporation insurance programs.

8 (4) To enter into and perform such leases, con-
9 tracts, or other transactions with any agency or in-
10 strumentality of the United States, the several
11 States, or the District of Columbia or with any per-
12 son, firm, association, or corporation as may be nec-
13 essary to carry out the responsibilities of the Penn-
14 sylvania Avenue Development Corporation under the
15 Federal Triangle Development Act (40 U.S.C.
16 1101–1109).

17 (5) To request the Council of the District of
18 Columbia to close any alleys necessary for the com-
19 pletion of development in Square 457.

20 (6) To use all of the funds transferred from the
21 Pennsylvania Avenue Development Corporation or
22 income earned on Pennsylvania Avenue Development
23 Corporation property to complete any pending devel-
24 opment projects.

1 (d)(1)(A) On or before April 1, 1996, the Pennsylva-
2 nia Avenue Development Corporation shall transfer all its
3 right, title, and interest in and to the property described
4 in subparagraph (B) to the National Park Service, De-
5 partment of the Interior.

6 (B) The property referred to in subparagraph (A) is
7 the property located within the Pennsylvania Avenue Na-
8 tional Historic Site depicted on a map entitled “Penn-
9 sylvania Avenue National Historic Park”, dated June 1,
10 1995, and numbered 840–82441, which shall be on file
11 and available for public inspection in the offices of the Na-
12 tional Park Service, Department of the Interior. The
13 Pennsylvania Avenue National Historic Site includes the
14 parks, plazas, sidewalks, special lighting, trees, sculpture,
15 and memorials.

16 (2) Jurisdiction of Pennsylvania Avenue and all other
17 roadways from curb to curb shall remain with the District
18 of Columbia but vendors shall not be permitted to occupy
19 street space except during temporary special events.

20 (3) The National Park Service shall be responsible
21 for management, administration, maintenance, law en-
22 forcement, visitor services, resource protection, interpreta-
23 tion, and historic preservation at the Pennsylvania Avenue
24 National Historic Site.

1 (4) The National Park Service may enter into con-
2 tracts, cooperative agreements, or other transactions with
3 any agency or instrumentality of the United States, the
4 several States, or the District of Columbia or with any
5 person, firm, association, or corporation as may be deemed
6 necessary or appropriate for the conduct of special events,
7 festivals, concerts, or other art and cultural programs at
8 the Pennsylvania Avenue National Historic Site or may
9 establish a nonprofit foundation to solicit funds for such
10 activities.

11 (e) Notwithstanding any other provision of law, the
12 responsibility for ensuring that development or redevelop-
13 ment in the Pennsylvania Avenue area is carried out in
14 accordance with the Pennsylvania Avenue Development
15 Corporation Plan—1974, as amended, is transferred to
16 the National Capital Planning Commission or its succes-
17 sor commencing April 1, 1996.

18 (f) SAVINGS PROVISIONS.—

19 (1) REGULATIONS.—Any regulations prescribed
20 by the Corporation in connection with the Penn-
21 sylvania Avenue Development Corporation Act of
22 1972 (40 U.S.C. 871–885) and the Federal Triangle
23 Development Act (40 U.S.C. 1101–1109) shall con-
24 tinue in effect until suspended by regulations pre-

1 scribed by the Administrator of the General Services
2 Administration.

3 (2) EXISTING RIGHTS, DUTIES, AND OBLIGA-
4 TIONS NOT AFFECTED.—Subsection (a) shall not be
5 construed as affecting the validity of any right, duty,
6 or obligation of the United States or any other per-
7 son arising under or pursuant to any contract, loan,
8 or other instrument or agreement which was in ef-
9 fect on the day before the date of the transfers
10 under subsection (a).

11 (3) CONTINUATION OF SUITS.—No action or
12 other proceeding commenced by or against the Cor-
13 poration in connection with administration of the
14 Pennsylvania Avenue Development Corporation Act
15 of 1972 (40 U.S.C. 871–885) and the Federal Tri-
16 angle Development Act (40 U.S.C. 1101–1109) shall
17 abate by reason of enactment and implementation of
18 this Act, except that the General Services Adminis-
19 tration shall be substituted for the Corporation as a
20 party to any such action or proceeding.

21 (g) Section 3(b) of the Pennsylvania Avenue Develop-
22 ment Corporation Act of 1972 (40 U.S.C. 872(b)) is
23 amended as follows:

24 “(b) The Corporation shall be dissolved on or before
25 April 1, 1996. Upon dissolution, assets, obligations, in-

1 debtedness, and all unobligated and unexpended balances
2 of the Corporation shall be transferred in accordance with
3 the Department of the Interior and Related Agencies Ap-
4 propriations Act, 1996.”.

5 SEC. 314. (a) Except as provided in subsection (b),
6 no part of any appropriation contained in this Act or any
7 other Act shall be obligated or expended for the operation
8 or implementation of the Interior Columbia Basin Eco-
9 system Management Project (hereinafter “Project”).

10 (b) From the funds appropriated to the Forest Serv-
11 ice and Bureau of Land Management: a sum of
12 \$4,000,000 is made available for the Executive Steering
13 Committee of the Project to publish, and submit to the
14 Congress, by May 31, 1996, an assessment of the National
15 Forest System lands and lands administered by the Bu-
16 reau of Land Management within the area encompassed
17 by the Project. The assessment shall be accompanied by
18 two draft Environmental Impact Statements that: are not
19 decisional and not subject to judicial review; contain a
20 range of alternatives, without the identification of a pre-
21 ferred alternative or management recommendation; and
22 provide a methodology for conducting any cumulative ef-
23 fects analysis required by section 102(2) of the National
24 Environmental Policy Act (42 U.S.C. 433(2)) in the prep-
25 aration of amendments to resource management plans

1 pursuant to subsection (c). The assessment shall incor-
2 porate all existing relevant scientific information includ-
3 ing, but not limited to, information on landscape dynam-
4 ics, forest and rangeland health conditions, fisheries, and
5 watersheds and the implications of each as they relate to
6 federal forest and rangeland health. The assessment and
7 draft Environmental Impact Statements shall not be: the
8 subject of consultation or conferencing pursuant to section
9 7 of the Endangered Species Act of 1973 (16 U.S.C.
10 1536); accompanied by any record of decision or other Na-
11 tional Environmental Policy Act documentation; or applied
12 or used to regulate non-federal lands. The Executive
13 Steering Committee shall release the draft Environmental
14 Impact Statements for a ninety day public comment pe-
15 riod and include a summary of the public comments re-
16 ceived in the Submission to Congress.

17 (c)(1) From the funds appropriated to the Forest
18 Service and the Bureau of Land Management, based on
19 the documents prepared pursuant to subsection (b) and
20 any other guidance or policy issued prior to the date of
21 enactment of this section, and in consultation with the af-
22 fected Governor, and county commissioners, each Forest
23 Supervisor and District Manager with responsibility for a
24 national forest or a unit of land administered by the Bu-
25 reau of Land Management (hereinafter “forest”) within

1 the area encompassed by the Project shall review the re-
2 source management plan (hereinafter “plan”) for such
3 forest and develop, by an amendment to such plan, a
4 modification of or alternative to any policy which is appli-
5 cable to such plan upon the date of enactment of this sec-
6 tion (whether or not such policy has been added to such
7 plan by amendment), including any policy which is, or is
8 intended to be, of limited duration, and which the Project
9 addresses, to meet the specific conditions of such forest.
10 Each amendment shall: contain the modified or alternative
11 policy developed pursuant to this paragraph, be directed
12 solely to and affect only such plan; address the specific
13 conditions of the forest to which the plan applies and the
14 relationship of the modified or alternative policy to such
15 conditions; and, to the maximum extent practicable, estab-
16 lish site-specific standards in lieu of imposing general
17 standards applicable to multiple sites.

18 (2)(A) Each amendment prepared pursuant to para-
19 graph (1) shall comply with any applicable requirements
20 of section 102(2) of the National Environmental Policy
21 Act, except that any cumulative effects analysis conducted
22 in accordance with the methodology provided pursuant to
23 subsection (b) shall be deemed to meet any requirements
24 of such Act for such analysis.

1 (B) Any policy adopted in an amendment prepared
2 pursuant to paragraph (1) which is a modification of or
3 alternative to a policy referred to in paragraph (1) upon
4 which consultation or conferencing has occurred pursuant
5 to section 7 of the Endangered Species Act of 1973 shall
6 not again be subject to the consultation or conferencing
7 provisions of such section 7. Any other consultation or
8 conferencing required by such section 7 shall be conducted
9 separately on each amendment prepared pursuant to para-
10 graph (1): *Provided*, That, except as provided in this sub-
11 paragraph, no other consultation shall be undertaken on
12 such amendments, or any project or activity which is con-
13 sistent with an applicable amendment, on any policy re-
14 ferred to in paragraph (1), or on any portion of any plan
15 related to such policy or the species to which such policy
16 applies.

17 (3) Each amendment prepared pursuant to para-
18 graph (1) shall be adopted on or before March 31, 1997,
19 and no policy referred to in paragraph (1), or any provi-
20 sion of a plan or other planning document incorporating
21 such policy, shall be effective in any forest subject to the
22 Project on or after such date, or after an amendment to
23 the plan which applies to such forest is adopted pursuant
24 to this subsection, whichever occurs first.

1 (4) On the signing of a record of decision or equiva-
2 lent document making an amendment for the Clearwater
3 National Forest pursuant to paragraph (1), the require-
4 ment for revision referred to in this Stipulation of Dismissal
5 dated September 13, 1993, applicable to such forest
6 is deemed to be satisfied, and the interim management
7 direction provisions contained in the Stipulation of Dismissal
8 shall be of no further effect with respect to such
9 forest.

10 SEC. 315. RECREATIONAL FEE DEMONSTRATION

11 PROGRAM.—(a) The Secretary of the Interior (acting
12 through the Bureau of Land Management, the National
13 Park Service and the United States Fish and Wildlife
14 Service) and the Secretary of Agriculture (acting through
15 the Forest Service) shall each implement a fee program
16 to demonstrate the feasibility of user-generated cost recovery
17 for the operation and maintenance of recreation areas
18 or sites and habitat enhancement projects on Federal
19 lands.

20 (b) In carrying out the pilot program established pur-
21 suant to this section, the appropriate Secretary shall select
22 from areas under the jurisdiction of each of the four agen-
23 cies referred to in subsection (a) no fewer than 10, but
24 as many as 50, areas, sites or projects for fee demonstra-

1 tion. For each such demonstration, the Secretary, notwith-
2 standing any other provision of law—

3 (1) shall charge and collect fees for admission
4 to the area or for the use of outdoor recreation sites,
5 facilities, visitor centers, equipment, and services by
6 individuals and groups, or any combination thereof;

7 (2) shall establish fees under this section based
8 upon a variety of cost recovery and fair market valu-
9 ation methods to provide a broad basis for feasibility
10 testing;

11 (3) may contract, including provisions for rea-
12 sonable commissions, with any public or private en-
13 tity to provide visitor services, including reservations
14 and information, and may accept services of volun-
15 teers to collect fees charged pursuant to paragraph
16 (1);

17 (4) may encourage private investment and part-
18 nerships to enhance the delivery of quality customer
19 services and resource enhancement, and provide ap-
20 propriate recognition to such partners or investors;
21 and

22 (5) may assess a fine of not more than \$100
23 for any violation of the authority to collect fees for
24 admission to the area or for the use of outdoor

1 recreation sites, facilities, visitor centers, equipment,
2 and services.

3 (c)(1) Amounts collected at each fee demonstration
4 area, site or project shall be distributed as follows:

5 (A) Of the amount in excess of 104% of the
6 amount collected in fiscal year 1995, and thereafter
7 annually adjusted upward by 4%, eighty percent to
8 a special account in the Treasury for use without
9 further appropriation, by the agency which admin-
10 isters the site, to remain available for expenditures
11 in accordance with paragraph (2)(A).

12 (B) Of the amount in excess of 104% of the
13 amount collected in fiscal year 1995, and thereafter
14 annually adjusted upward by 4%, twenty percent to
15 a special account in the Treasury for use without
16 further appropriation, by the agency which admin-
17 isters the site, to remain available for expenditure in
18 accordance with paragraph (2)(B).

19 (C) For agencies other than the Fish and Wild-
20 life Service, up to 15% of current year collections of
21 each agency, but not greater than fee collection costs
22 for that fiscal year, to remain available for expendi-
23 ture without further appropriation in accordance
24 with paragraph (2)(C).

1 (D) For agencies other than the Fish and Wild-
2 life Service, the balance to the special account estab-
3 lished pursuant to subparagraph (A) of section
4 4(i)(1) of the Land and Water Conservation Fund
5 Act, as amended.

6 (E) For the Fish and Wildlife Service, the bal-
7 ance shall be distributed in accordance with section
8 201(c) of the Emergency Wetlands Resources Act.

9 (2)(A) Expenditures from site specific special funds
10 shall be for further activities of the area, site or project
11 from which funds are collected, and shall be accounted for
12 separately.

13 (B) Expenditures from agency specific special funds
14 shall be for use on an agency-wide basis and shall be ac-
15 counted for separately.

16 (C) Expenditures from the fee collection support fund
17 shall be used to cover fee collection costs in accordance
18 with section 4(i)(1)(B) of the Land and Water Conserva-
19 tion Fund Act, as amended: *Provided*, That funds unex-
20 pended and unobligated at the end of the fiscal year shall
21 not be deposited into the special account established pur-
22 suant to section 4(i)(1)(A) of said Act and shall remain
23 available for expenditure without further appropriation.

24 (3) In order to increase the quality of the visitor expe-
25 rience at public recreational areas and enhance the protec-

1 tion of resources, amounts available for expenditure under
2 this section may only be used for the area, site or project
3 concerned, for backlogged repair and maintenance projects
4 (including projects relating to health and safety) and for
5 interpretation, signage, habitat or facility enhancement,
6 resource preservation, annual operation (including fee col-
7 lection), maintenance, and law enforcement relating to
8 public use. The agencywide accounts may be used for the
9 same purposes set forth in the preceding sentence, but for
10 areas, sites or projects selected at the discretion of the
11 respective agency head.

12 (d)(1) Amounts collected under this section shall not
13 be taken into account for the purposes of the Act of May
14 23, 1908 and the Act of March 1, 1911 (16 U.S.C. 500),
15 the Act of March 4, 1913 (16 U.S.C. 501), the Act of
16 July 22, 1937 (7 U.S.C. 1012), the Act of August 8, 1937
17 and the Act of May 24, 1939 (43 U.S.C. 1181f et seq.),
18 the Act of June 14, 1926 (43 U.S.C. 869–4), chapter 69
19 of title 31, United States Code, section 401 of the Act
20 of June 15, 1935 (16 U.S.C. 715s), the Land and Water
21 Conservation Fund Act of 1965 (16 U.S.C. 460l), and any
22 other provision of law relating to revenue allocation.

23 (2) Fees charged pursuant to this section shall be in
24 lieu of fees charged under any other provision of law.

1 (e) The Secretary of the Interior and the Secretary
2 of Agriculture shall carry out this section without promul-
3 gating regulations.

4 (f) The authority to collect fees under this section
5 shall commence on October 1, 1995, and end on Septem-
6 ber 30, 1998. Funds in accounts established shall remain
7 available through September 30, 2001.

8 SEC. 316. Section 2001(a)(2) of Public Law 104–19
9 is amended as follows: Strike “September 30, 1997” and
10 insert in lieu thereof “December 31, 1996”.

11 SEC. 317. None of the funds made available in this
12 Act may be used for any program, project, or activity
13 when it is made known to the Federal entity or official
14 to which the funds are made available that the program,
15 project, or activity is not in compliance with any applicable
16 Federal law relating to risk assessment, the protection of
17 private property rights, or unfunded mandates.

18 SEC. 318. None of the funds provided in this Act may
19 be made available for the Mississippi River Corridor Herit-
20 age Commission.

21 SEC. 319. GREAT BASIN NATIONAL PARK.—Section
22 3 of the Great Basin National Park Act of 1986 (16
23 U.S.C. 410mm–1) is amended—

24 (1) in the first sentence of subsection (e) by
25 striking “shall” and inserting “may”; and

1 (2) in subsection (f)—

2 (A) by striking “At the request” and in-
3 serting the following:

4 “(1) EXCHANGES.—At the request”;

5 (B) by striking “grazing permits” and in-
6 serting “grazing permits and grazing leases”;
7 and

8 (C) by adding after “Federal lands.” the
9 following:

10 “(2) ACQUISITION BY DONATION.—

11 (A) IN GENERAL.—The Secretary may ac-
12 quire by donation valid existing permits and
13 grazing leases authorizing grazing on land in
14 the park.

15 (B) TERMINATION.—The Secretary shall
16 terminate a grazing permit or grazing lease ac-
17 quired under subparagraph (A) so as to end
18 grazing previously authorized by the permit or
19 lease.”.

20 SEC. 320. None of the funds made available in this
21 Act shall be used by the Department of Energy in imple-
22 menting the Codes and Standards Program to propose,
23 issue, or prescribe any new or amended standard: *Pro-*
24 *vided*, That this section shall expire on September 30,
25 1996: *Provided further*, That nothing in this section shall

1 preclude the Federal Government from promulgating rules
2 concerning energy efficiency standards for the construc-
3 tion of new federally-owned commercial and residential
4 buildings.

5 SEC. 321. None of the funds made available in this
6 Act may be used (1) to demolish the bridge between Jersey
7 City, New Jersey, and Ellis Island; or (2) to prevent pe-
8 destrian use of such bridge, when it is made known to
9 the Federal official having authority to obligate or expend
10 such funds that such pedestrian use is consistent with gen-
11 erally accepted safety standards.

12 SEC. 322. (a) None of the funds appropriated or oth-
13 erwise made available pursuant to this Act shall be obli-
14 gated or expended to accept or process applications for
15 a patent for any mining or mill site claim located under
16 the general mining laws.

17 (b) The provisions of subsection (a) shall not apply
18 if the Secretary of the Interior determines that, for the
19 claim concerned: (1) a patent application was filed with
20 the Secretary on or before September 30, 1994, and (2)
21 all requirements established under sections 2325 and 2326
22 of the Revised Statutes (30 U.S.C. 29 and 30) for vein
23 or lode claims and sections 2329, 2330, 2331, and 2333
24 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for
25 placer claims, and section 2337 of the Revised Statutes

1 (30 U.S.C. 42) for mill site claims, as the case may be,
2 were fully complied with by the applicant by that date.

3 (c) PROCESSING SCHEDULE.—For those applications
4 for patents pursuant to subsection (b) which were filed
5 with the Secretary of the Interior, prior to September 30,
6 1994, the Secretary of the Interior shall—

7 (1) Within three months of the enactment of
8 this Act, file with the House and Senate Committees
9 on Appropriations and the Committee on Resources
10 of the House of Representatives and the Committee
11 on Energy and Natural Resources of the United
12 States Senate a plan which details how the Depart-
13 ment of the Interior will make a final determination
14 as to whether or not an applicant is entitled to a
15 patent under the general mining laws on at least 90
16 percent of such applications within five years of the
17 enactment of this Act and file reports annually
18 thereafter with the same committees detailing ac-
19 tions taken by the Department of the Interior to
20 carry out such plan; and

21 (2) Take such actions as may be necessary to
22 carry out such plan.

23 (d) MINERAL EXAMINATIONS.—In order to process
24 patent applications in a timely and responsible manner,
25 upon the request of a patent applicant, the Secretary of

1 the Interior shall allow the applicant to fund a qualified
2 third-party contractor to be selected by the Bureau of
3 Land Management to conduct a mineral examination of
4 the mining claims or mill sites contained in a patent appli-
5 cation as set forth in subsection (b). The Bureau of Land
6 Management shall have the sole responsibility to choose
7 and pay the third-party contractor in accordance with the
8 standard procedures employed by the Bureau of Land
9 Management in the retention of third-party contractors.

10 SEC. 323. None of the funds appropriated or other-
11 wise made available by this Act may be used for the pur-
12 poses of acquiring lands in the counties of Lawrence, Mon-
13 roe, or Washington, Ohio, for the Wayne National Forest.

14 SEC. 324. No part of any appropriation contained in
15 this Act or any other Act shall be expended or obligated
16 to fund the activities of the Office of Forestry and Eco-
17 nomic Development after December 31, 1995.

18 SEC. 325. Amend section 2001(k) of Public Law
19 104–19 by striking “in fiscal years 1995 and 1996” in
20 paragraph (1) and adding paragraph (4) to read:

21 “(4) TIMING AND CONDITIONS OF ALTER-
22 NATIVE VOLUME.—For any sale subject to para-
23 graph (2) of this subsection, the Secretary concerned
24 shall, and for any other sale subject to this sub-
25 section, the Secretary concerned may, within 45

1 days of the date of enactment of this paragraph,
2 reach agreement with the purchaser to provide by a
3 date agreed to by the purchaser, a volume, value and
4 kind of timber satisfactory to the purchaser to sub-
5 stitute for all or a portion of the timber subject to
6 the sale, which shall be subject to the original terms
7 of the contract except as otherwise agreed, and shall
8 be subject to paragraph (1). After the agreed date
9 for providing alternative timber the purchaser may
10 operate the original sale under the terms of para-
11 graph (1) until the Secretary concerned designates
12 and the purchaser accepts alternative timber under
13 this paragraph. Any sale subject to this subsection
14 shall be awarded and released and may be operated
15 under the terms of paragraph (1) until completed
16 and shall not count against current allowable sale
17 quantities or timber sales to be offered under sub-
18 section (b) and (d).”

19 SEC. 326. (a) LAND EXCHANGE.—The Secretary of
20 the Interior (hereinafter referred to as the “Secretary”)
21 is authorized to convey to the Boise Cascade Corporation
22 (hereinafter referred to as the “Corporation”), a corpora-
23 tion formed under the statutes of the State of Delaware,
24 with its principal place of business at Boise, Idaho, title
25 to approximately seven acres of land, more or less, located

1 in sections 14 and 23, township 36 north, range 37 east,
2 Willamette Meridian, Stevens County, Washington, fur-
3 ther identified in the records of the Bureau of Reclama-
4 tion, Department of the Interior, as Tract No. GC-19860,
5 and to accept from the Corporation in exchange therefor,
6 title to approximately one hundred and thirty-six acres of
7 land located in section 19, township 37 north, range 38
8 east and section 33, township 38 north, range 37 east,
9 Willamette Meridian, Stevens County, Washington, and
10 further identified in the records of the Bureau of Reclama-
11 tion, Department of the Interior, as Tract No. GC-19858
12 and Tract No. GC-19859, respectively.

13 (b) APPRAISAL.—The properties so exchanged either
14 shall be approximately equal in fair market value or if they
15 are not approximately equal, shall be equalized by the pay-
16 ment of cash to the Corporation or to the Secretary as
17 required or in the event the value of the Corporation's
18 lands is greater, the acreage may be reduced so that the
19 fair market value is approximately equal: *Provided*, That
20 the Secretary shall order appraisals made of the fair mar-
21 ket value of each tract of land included in the exchange
22 without consideration for improvements thereon: *Provided*
23 *further*, That any cash payment received by the Secretary
24 shall be covered in the Reclamation Fund and credited to
25 the Columbia Basin project.

1 (c) ADMINISTRATIVE COSTS.—Costs of conducting
2 the necessary land surveys, preparing the legal descrip-
3 tions of the lands to be conveyed, performing the apprais-
4 als, and administrative costs incurred in completing the
5 exchange shall be borne by the Corporation.

6 (d) LIABILITY FOR HAZARDOUS SUBSTANCES.—(1)
7 The Secretary shall not acquire any lands under this Act
8 if the Secretary determines that such lands, or any portion
9 thereof, have become contaminated with hazardous sub-
10 stances (as defined in the Comprehensive Environmental
11 Response, Compensation, and Liability Act (42 U.S.C.
12 9601)).

13 (2) Notwithstanding any other provision of law, the
14 United States shall have no responsibility or liability with
15 respect to any hazardous wastes or other substances
16 placed on any of the lands covered by this Act after their
17 transfer to the ownership of any party, but nothing in this
18 Act shall be construed as either diminishing or increasing
19 any responsibility or liability of the United States based
20 on the condition of such lands on the date of their transfer
21 to the ownership of another party. The Corporation shall
22 indemnify the United States for liabilities arising under
23 the Comprehensive Environmental Response, Compensa-
24 tion, and Liability Act (42 U.S.C. 9601), and the Re-

1 source Conservation Recovery Act (42 U.S.C. 6901 et
2 seq.).

3 (e) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated such sums as may be
5 necessary to carry out the purposes of this Act.

6 SEC. 327. TIMBER SALES PIPELINE RESTORATION
7 FUNDS.—(a) The Secretary of Agriculture and the Sec-
8 retary of the Interior shall each establish a Timber Sales
9 Pipeline Restoration Fund (hereinafter “Agriculture
10 Fund” and “Interior Fund” or “Funds”). Any revenues
11 received from sales released under section 2001(k) of the
12 fiscal year 1995 Supplemental Appropriations for Disaster
13 Assistance and Rescissions Act, minus the funds necessary
14 to make payments to States or local governments under
15 other law concerning the distribution of revenues derived
16 from the affected lands, which are in excess of
17 \$37,500,000 (hereinafter “excess revenues”) shall be de-
18 posited into the Funds. The distribution of excess reve-
19 nues between the Agriculture Fund and Interior Fund
20 shall be calculated by multiplying the total of excess reve-
21 nues times a fraction with a denominator of the total reve-
22 nues received from all sales released under such section
23 2001(k) and numerators of the total revenues received
24 from such sales on lands within the National Forest Sys-
25 tem and the total revenues received from such sales on

1 lands administered by the Bureau of Land Management,
2 respectively: *Provided*, That revenues or portions thereof
3 from sales released under such section 2001(k), minus the
4 amounts necessary for State and local government pay-
5 ments and other necessary deposits, may be deposited into
6 the Funds immediately upon receipt thereof and subse-
7 quently redistributed between the Funds or paid into the
8 United States Treasury as miscellaneous receipts as may
9 be required when the calculation of excess revenues is
10 made.

11 (b)(1) From the funds deposited into the Agriculture
12 Fund and into the Interior Fund pursuant to subsection
13 (a)—

14 (A) seventy-five percent shall be available, with-
15 out fiscal year limitation or further appropriation,
16 for preparation of timber sales, other than salvage
17 sales as defined in section 2001(a)(3) of the fiscal
18 year 1995 Supplemental Appropriations for Disaster
19 Assistance and Rescissions Act, which—

20 (i) are situated on lands within the Na-
21 tional Forest System and lands administered by
22 the Bureau of Land Management, respectively;
23 and

1 (ii) are in addition to timber sales for
2 which funds are otherwise available in this Act
3 or other appropriations Acts; and

4 (B) twenty-five percent shall be available, with-
5 out fiscal year limitation or further appropriation, to
6 expend on the backlog of recreation projects on
7 lands within the National Forest System and lands
8 administered by the Bureau of Land Management,
9 respectively.

10 (2) Expenditures under this subsection for prepara-
11 tion of timber sales may include expenditures for Forest
12 Service activities within the forest land management budg-
13 et line item and associated timber roads, and Bureau of
14 Land Management activities within the Oregon and Cali-
15 fornia grant lands account and the forestry management
16 area account, as determined by the Secretary concerned.

17 (c) Revenues received from any timber sale prepared
18 under subsection (b) or under this subsection, minus the
19 amounts necessary for State and local government pay-
20 ments and other necessary deposits, shall be deposited into
21 the Fund from which funds were expended on such sale.
22 Such deposited revenues shall be available for preparation
23 of additional timber sales and completion of additional
24 recreation projects in accordance with the requirements
25 set forth in subsection (b).

1 (d) The Secretary concerned shall terminate all pay-
2 ments into the Agriculture Fund or the Interior Fund, and
3 pay any unobligated funds in the affected Fund into the
4 United States Treasury as miscellaneous receipts, when-
5 ever the Secretary concerned makes a finding, published
6 in the Federal Register, that sales sufficient to achieve
7 the total allowable sales quantity of the National Forest
8 System for the Forest Service or the allowable sales level
9 for the Oregon and California grant lands for the Bureau
10 of Land Management, respectively, have been prepared.

11 (e) Any timber sales prepared and recreation projects
12 completed under this section shall comply with all applica-
13 ble environmental and natural resource laws and regula-
14 tions.

15 (f) The Secretary concerned shall report annually to
16 the Committees on Appropriations of the United States
17 Senate and the House of Representatives on expenditures
18 made from the Fund for timber sales and recreation
19 projects, revenues received into the Fund from timber
20 sales, and timber sale preparation and recreation project
21 work undertaken during the previous year and projected
22 for the next year under the Fund. Such information shall
23 be provided for each Forest Service region and Bureau
24 of Land Management State office.

1 (g) The authority of this section shall terminate upon
2 the termination of both Funds in accordance with the pro-
3 visions of subsection (d).

4 SEC. 328. Of the funds provided to the National En-
5 dowment for the Arts:

6 (a) The Chairperson shall only award a grant
7 to an individual if such grant is awarded to such in-
8 dividual for a literature fellowship, National Herit-
9 age Fellowship, or American Jazz Masters Fellow-
10 ship.

11 (b) The Chairperson shall establish procedures
12 to ensure that no funding provided through a grant,
13 except a grant made to a State or regional group,
14 may be used to make a grant to any other organiza-
15 tion or individual to conduct activity independent of
16 the direct grant recipient. Nothing in this subsection
17 shall prohibit payments made in exchange for goods
18 and services.

19 (c) No grant shall be used for seasonal support
20 to a group, unless the application is specific to the
21 contents of the season, including identified programs
22 and/or projects.

23 SEC. 329. DELAY IN IMPLEMENTATION OF THE AD-
24 MINISTRATION'S RANGELAND REFORM PROGRAM.—None
25 of the funds made available under this or any other Act

1 may be used to implement or enforce the final rule pub-
2 lished by the Secretary of the Interior on February 22,
3 1995 (60 Fed. Reg. 9894), making amendments to parts
4 4, 1780, and 4100 of title 43, Code of Federal Regula-
5 tions, to take effect August 21, 1995, until November 21,
6 1995. None of the funds made available under this or any
7 other Act may be used to publish proposed or enforce final
8 regulations governing the management of livestock grazing
9 on lands administered by the Forest Service until Novem-
10 ber 21, 1995.

11 SEC. 330. Section 1864 of title 18, United States
12 Code, is amended—

13 (1) in subsection (b)—

14 (A) in paragraph (2), by striking “twenty”
15 and inserting “40”;

16 (B) in paragraph (3), by striking “ten”
17 and inserting “20”;

18 (C) in paragraph (4), by striking “if dam-
19 age exceeding \$10,000 to the property of any
20 individual results,” and inserting “if damage to
21 the property of any individual results or if
22 avoidance costs have been incurred exceeding
23 \$10,000, in the aggregate,”; and

24 (D) in paragraph (4), by striking “ten”
25 and inserting “20”;

1 (2) in subsection (c) by striking “ten” and in-
2 serting “20”;

3 (3) in subsection (d), by—

4 (A) striking “and” at the end of paragraph
5 (2);

6 (B) striking the period at the end of para-
7 graph (3) and inserting “; and”; and

8 (C) adding at the end the following:

9 “(4) the term ‘avoidance costs’ means costs in-
10 curred by any individual for the purpose of—

11 “(A) detecting a hazardous or injurious de-
12 vice; or

13 “(B) preventing death, serious bodily in-
14 jury, bodily injury, or property damage likely to
15 result from the use of a hazardous or injurious
16 device in violation of subsection (a).”;

17 (4) by adding at the end thereof the following:

18 “(e) Any person injured as the result of a violation
19 of subsection (a) may commence a civil action on his own
20 behalf against any person who is alleged to be in violation
21 of subsection (a). The district courts shall have jurisdic-
22 tion, without regard to the amount in controversy or the
23 citizenship of the parties, in such civil actions. The court
24 may award, in addition to monetary damages for any in-
25 jury resulting from an alleged violation of subsection (a),

1 costs of litigation, including reasonable attorney and ex-
2 pert witness fees, to any prevailing or substantially pre-
3 vailing party, whenever the court determines such award
4 is appropriate.”.

5 SEC. 331. (a) PURPOSES OF NATIONAL ENDOWMENT
6 FOR THE ARTS.—Section 2 of the National Foundation
7 on the Arts and the Humanities Act of 1965, as amended
8 (20 U.S.C. 951), sets out findings and purposes for which
9 the National Endowment for the Arts was established,
10 among which are—

11 (1) “The arts and humanities belong to all the
12 people of the United States”;

13 (2) “The arts and humanities reflect the high
14 place accorded by the American people . . . to the
15 fostering of mutual respect for the diverse beliefs
16 and values of all persons and groups”;

17 (3) “Public funding of the arts and humanities
18 is subject to the conditions that traditionally govern
19 the use of public money [and] such funding should
20 contribute to public support and confidence in the
21 use of taxpayer funds”; and

22 (4) “Public funds provided by the Federal Gov-
23 ernment must ultimately serve public purposes the
24 Congress defines”.

1 (b) ADDITIONAL CONGRESSIONAL FINDINGS.—Con-
2 gress further finds and declares that the use of scarce
3 funds, which have been taken from all taxpayers of the
4 United States, to promote, disseminate, sponsor, or
5 produce any material or performance that—

6 (1) denigrates the religious objects or religious
7 beliefs of the adherents of a particular religion, or

8 (2) depicts or describes, in a patently offensive
9 way, sexual or excretory activities or organs,

10 is contrary to the express purposes of the National Foun-
11 dation on the Arts and the Humanities Act of 1965, as
12 amended.

13 (c) PROHIBITION ON FUNDING THAT IS NOT CON-
14 SISTENT WITH THE PURPOSES OF THE ACT.—Notwith-
15 standing any other provision of law, none of the scarce
16 funds which have been taken from all taxpayers of the
17 United States and made available under this Act to the
18 National Endowment for the Arts may be used to pro-
19 mote, disseminate, sponsor, or produce any material or
20 performance that—

21 (1) denigrates the religious objects or religious
22 beliefs of the adherents of a particular religion, or

23 (2) depicts or describes, in a patently offensive
24 way, sexual or excretory activities or organs,

1 and this prohibition shall be strictly applied without re-
2 gard to the content or viewpoint of the material or per-
3 formance.

4 (d) SECTION NOT TO AFFECT OTHER WORKS.—
5 Nothing in this section shall be construed to affect in any
6 way the freedom of any artist or performer to create any
7 material or performance using funds which have not been
8 made available under this Act to the National Endowment
9 for the Arts.

10 SEC. 332. For purposes related to the closure of the
11 Bureau of Mines, funds made available to the United
12 States Geological Survey, the United States Bureau of
13 Mines, and the Bureau of Land Management shall be
14 available for transfer, with the approval of the Secretary
15 of the Interior, among the following accounts: United
16 States Geological Survey, Surveys, investigations, and re-
17 search; Bureau of Mines, Mines and minerals; and Bureau
18 of Land Management, Management of lands and re-
19 sources. The Secretary of Energy shall reimburse the Sec-
20 retary of the Interior, in an amount to be determined by
21 the Director of the Office of Management and Budget, for
22 the expenses of the transferred functions between October
23 1, 1995 and the effective date of the transfers of function.
24 Such transfers shall be subject to the reprogramming

1 guidelines of the House and Senate Committees on Appro-
2 priations.

3 SEC. 333. No funds appropriated under this or
4 any other Act shall be used to review or modify sourcing
5 areas previously approved under section 490(c)(3) of the
6 Forest Resources Conservation and Shortage Relief Act
7 of 1990 (Public Law 101–382) or to enforce or imple-
8 ment Federal regulations 36 CFR part 223 promulgated
9 on September 8, 1995. The regulations and interim rules
10 in effect prior to September 8, 1995 (36 CFR 223.48, 36
11 CFR 223.87, 36 CFR 223 Subpart D, 36 CFR 223 Sub-
12 part F, and 36 CFR 261.6) shall remain in effect. The
13 Secretary of Agriculture or the Secretary of the Interior
14 shall not adopt any policies concerning Public Law 101–
15 382 or existing regulations that would restrain domestic
16 transportation or processing of timber from private lands
17 or impose additional accountability requirements on any
18 timber. The Secretary of Commerce shall extend until
19 September 30, 1996, the order issued under section
20 491(b)(2)(A) of Public Law 101–382 and shall issue an
21 order under section 491(b)(2)(B) of such law that will be
22 effective October 1, 1996.

23 SEC. 334. The National Park Service, in accord-
24 ance with the Memorandum of Agreement between the
25 United States National Park Service and the City of

1 Vancouver dated November 4, 1994, shall permit general
2 aviation on its portion of Pearson Field in Vancouver,
3 Washington until the year 2022, during which time a
4 plan and method for transitioning from general aviation
5 aircraft to historic aircraft shall be completed; such tran-
6 sition to be accomplished by that date. This action shall
7 not be construed to limit the authority of the Federal
8 Aviation Administration over air traffic control or avia-
9 tion activities at Pearson Field or limit operations and
10 airspace of Portland International Airport.

11 SEC. 335. The United States Forest Service ap-
12 proval of Alternative site 2 (ALT 2), issued on December
13 6, 1993, is hereby authorized and approved and shall be
14 deemed to be consistent with, and permissible under, the
15 terms of Public Law 100-696 (the Arizona-Idaho Con-
16 servation Act of 1988).

17 SEC. 336. Obligations for travel expenses in fiscal
18 year 1996, for each appropriation account in this Act,
19 may not exceed 90 percentum of fiscal year 1995 obliga-
20 tions for administrative travel and for travel by super-
21 visory and non-career personnel and may not exceed 100
22 percentum of fiscal year 1995 obligations for program-es-
23 sential travel.

24 SEC. 337. The number of employees detailed to
25 and within Departmental Management in the Depart-

1 ment of the Interior may not exceed the number of em-
2 ployees detailed to and within the Office of the Secretary
3 in fiscal year 1995.

4 SEC. 338. Upon enactment of this Act, all funds obli-
5 gated in fiscal year 1996 under “Salaries and expenses”,
6 Pennsylvania Avenue Development Corporation are to be
7 offset by unobligated balances made available under this
8 Act under the account “Public development”, Pennsylva-
9 nia Avenue Development Corporation and all funds obli-
10 gated in fiscal year 1996 under “International forestry”,
11 Forest Service are to be offset by funds made available
12 under this Act under the account “National forest sys-
13 tem”, Forest Service.

14 SEC. 339. (a) Notwithstanding any other provision
15 of law, in order to avoid or minimize the need for involun-
16 tary separations due to a reduction in force, reorganiza-
17 tions, transfer of function, or other similar action, the Sec-
18 retary of the Smithsonian Institution may pay, or author-
19 ize the payment of, voluntary separation incentive pay-
20 ments to Smithsonian Institution employees who separate
21 from Federal service voluntarily during fiscal years 1996
22 and 1997 (whether by retirement or resignation).

23 (b) A voluntary separation incentive payment—

1 (1) shall be paid in a lump sum after the em-
2 ployee's separation in an amount to be determined
3 by the Secretary, but shall not exceed \$25,000;

4 (2) shall not be a basis for payment, and shall
5 not be included in the computation, of any other
6 type of benefit; and

7 (3) shall be paid from appropriations available
8 for the payment of the basic pay of the employee.

9 (c)(1) An employee who has received a voluntary sep-
10 aration incentive payment under this section and accepts
11 employment with any agency or instrumentality of the
12 United States within 5 years after the date of the separa-
13 tion on which the payment is based shall be required to
14 repay the entire amount of the incentive payment to the
15 Smithsonian Institution.

16 (2) The repayment required by paragraph (1) may
17 be waived only by the Secretary.

18 (3) For purposes of paragraph (1) (but not para-
19 graph (2)), the term "employment" includes employment
20 under a personal services contract with the United States.

21 (d) In addition to any other payments which it is re-
22 quired to make under subchapter III of chapter 83 of title
23 5, United States Code, the Smithsonian shall remit to the
24 Office of Personnel Management for deposit in the Treas-
25 ury of the United States to the credit of the Civil Service

1 Retirement and Disability Fund an amount equal to 15
2 percent of the final basic pay of each employee of the
3 Smithsonian to whom a voluntary separation incentive
4 payment has been paid.

5 This Act may be cited as the “Department of the In-
6 terior and Related Agencies Appropriations Act, 1996”.

7 (c) Such amounts as may be necessary for programs,
8 projects or activities provided for in the Departments of
9 Labor, Health and Human Services, and Education, and
10 Related Agencies Appropriations Act, 1996, at a rate of
11 operations and to the extent and in the manner provided
12 for, the provisions of such Act to be effective as if it had
13 been enacted into law as the regular appropriations Act,
14 as follows:

15 AN ACT

16 Making appropriations for the Departments of
17 Labor, Health and Human Services, and Education, and
18 related agencies for the fiscal year ending September 30,
19 1996, and for other purposes.

20 TITLE I—DEPARTMENT OF LABOR

21 EMPLOYMENT AND TRAINING ADMINISTRATION

22 TRAINING AND EMPLOYMENT SERVICES

23 For expenses necessary to carry into effect the Job
24 Training Partnership Act, as amended, including the pur-
25 chase and hire of passenger motor vehicles, the construc-

1 tion, alteration, and repair of buildings and other facili-
2 ties, and the purchase of real property for training centers
3 as authorized by the Job Training Partnership Act; title
4 II of the Civil Rights Act of 1991; the Women in Appren-
5 ticeship and Nontraditional Occupations Act; National
6 Skill Standards Act of 1994; and the School-to-Work Op-
7 portunities Act; \$3,108,978,000 plus reimbursements, of
8 which \$2,891,759,000 is available for obligation for the
9 period July 1, 1996 through June 30, 1997; of which
10 \$121,467,000 is available for the period July 1, 1996
11 through June 30, 1999 for necessary expenses of construc-
12 tion, rehabilitation, and acquisition of Job Corps centers;
13 and of which \$95,000,000 shall be available from July 1,
14 1996 through September 30, 1997, for carrying out activi-
15 ties of the School-to-Work Opportunities Act: *Provided,*
16 That \$52,502,000 shall be for carrying out section 401
17 of the Job Training Partnership Act, \$69,285,000 shall
18 be for carrying out section 402 of such Act, \$7,300,000
19 shall be for carrying out section 441 of such Act,
20 \$8,000,000 shall be for all activities conducted by and
21 through the National Occupational Information Coordi-
22 nating Committee under such Act, \$745,700,000 shall be
23 for carrying out title II, part A of such Act, \$126,672,000
24 shall be for carrying out title II, part C of such Act and
25 \$5,000,000 shall be for employment-related activities of

1 the 1996 Paralympic Games: *Provided further*, That no
2 funds from any other appropriation shall be used to pro-
3 vide meal services at or for Job Corps centers: *Provided*
4 *further*, That notwithstanding any other provision of law,
5 the Secretary of Labor may waive any of the requirements
6 contained in sections 4, 104, 105, 107, 108, 121, 164,
7 204, 253, 254, 264, 301, 311, 313, 314, and 315 of the
8 Job Training Partnership Act in order to assist States in
9 improving State workforce development systems, pursuant
10 to a request submitted by a State that has prior to the
11 date of enactment of this Act executed a Memorandum
12 of Understanding with the United States requiring such
13 State to meet agreed upon outcomes: *Provided further*,
14 That funds used from this Act to carry out title III of
15 the Job Training Partnership Act shall not be subject to
16 the limitation contained in subsection (b) of section 315
17 of such Act; that the waiver allowing a reduction in the
18 cost limitation relating to retraining services described in
19 subsection (a)(2) of such section 315 may be granted with
20 respect to funds from this Act if a substate grantee dem-
21 onstrates to the Governor that such waiver is appropriate
22 due to the availability of low-cost retraining services, is
23 necessary to facilitate the provision of needs-related pay-
24 ments to accompany long-term training, or is necessary
25 to facilitate the provision of appropriate basic readjust-

1 of title V of the Older Americans Act of 1965, as amended,
2 or to carry out older worker activities as subsequently au-
3 thorized, \$227,500,000.

4 To carry out the activities for grants to States under
5 paragraph (3) of section 506(a) of title V of the Older
6 Americans Act of 1965, as amended, or to carry out older
7 worker activities as subsequently authorized,
8 \$122,500,000.

9 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

10 For payments during the current fiscal year of trade
11 adjustment benefit payments and allowances under part
12 I, and for training, for allowances for job search and relo-
13 cation, and for related State administrative expenses
14 under part II, subchapters B and D, chapter 2, title II
15 of the Trade Act of 1974, as amended, \$346,100,000, to-
16 gether with such amounts as may be necessary to be
17 charged to the subsequent appropriation for payments for
18 any period subsequent to September 15 of the current
19 year.

20 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT

21 SERVICE OPERATIONS

22 For activities authorized by the Act of June 6, 1933,
23 as amended (29 U.S.C. 49–49l–1; 39 U.S.C.
24 3202(a)(1)(E)); title III of the Social Security Act, as
25 amended (42 U.S.C. 502–504); necessary administrative

1 expenses for carrying out 5 U.S.C. 8501–8523, and sec-
2 tions 225, 231–235, 243–244, and 250(d)(1), 250(d)(3),
3 title II of the Trade Act of 1974, as amended; as author-
4 ized by section 7c of the Act of June 6, 1933, as amended,
5 necessary administrative expenses under sections
6 101(a)(15)(H), 212(a)(5)(A), (m) (2) and (3), (n)(1), and
7 218(g) (1), (2), and (3), and 258(c) of the Immigration
8 and Nationality Act, as amended (8 U.S.C. 1101 et seq.);
9 necessary administrative expenses to carry out section
10 221(a) of the Immigration Act of 1990, \$117,328,000, to-
11 gether with not to exceed \$3,104,194,000 (including not
12 to exceed \$1,653,000 which may be used for amortization
13 payments to States which had independent retirement
14 plans in their State employment service agencies prior to
15 1980, and including not to exceed \$2,000,000 which may
16 be obligated in contracts with non-State entities for activi-
17 ties such as occupational and test research activities which
18 benefit the Federal-State Employment Service System),
19 which may be expended from the Employment Security
20 Administration account in the Unemployment Trust
21 Fund, and of which the sums available in the allocation
22 for activities authorized by title III of the Social Security
23 Act, as amended (42 U.S.C. 502–504), and the sums
24 available in the allocation for necessary administrative ex-
25 penses for carrying out 5 U.S.C. 8501–8523, shall be

1 available for obligation by the States through December
2 31, 1996, except that funds used for automation acquisi-
3 tions shall be available for obligation by States through
4 September 30, 1998; and of which \$115,452,000, together
5 with not to exceed \$738,283,000 of the amount which may
6 be expended from said trust fund shall be available for
7 obligation for the period July 1, 1996, through June 30,
8 1997, to fund activities under the Act of June 6, 1933,
9 as amended, including the cost of penalty mail made avail-
10 able to States in lieu of allotments for such purpose, and
11 of which \$216,333,000 shall be available only to the extent
12 necessary for additional State allocations to administer
13 unemployment compensation laws to finance increases in
14 the number of unemployment insurance claims filed and
15 claims paid or changes in a State law: *Provided*, That to
16 the extent that the Average Weekly Insured Unemploy-
17 ment (AWIU) for fiscal year 1996 is projected by the De-
18 partment of Labor to exceed 2.785 million, an additional
19 \$28,600,000 shall be available for obligation for every
20 100,000 increase in the AWIU level (including a pro rata
21 amount for any increment less than 100,000) from the
22 Employment Security Administration Account of the Un-
23 employment Trust Fund: *Provided further*, That funds ap-
24 propriated in this Act which are used to establish a na-
25 tional one-stop career center network may be obligated in

1 Black Lung Disability Trust Fund in the current fiscal
2 year, such sums as may be necessary.

3 ADVANCES TO THE EMPLOYMENT SECURITY ADMINISTRA-
4 TION ACCOUNT OF THE UNEMPLOYMENT TRUST
5 FUND

6 (RESCISSION)

7 Amounts remaining unobligated under this heading
8 as of September 30, 1995, are hereby rescinded.

9 PAYMENTS TO THE UNEMPLOYMENT TRUST FUND AND
10 OTHER FUNDS

11 (RESCISSION)

12 Of the amounts remaining unobligated under this
13 heading as of September 30, 1995, \$250,000,000 are
14 hereby rescinded.

15 PROGRAM ADMINISTRATION

16 For expenses of administering employment and train-
17 ing programs and for carrying out section 908 of the So-
18 cial Security Act, \$83,054,000, together with not to ex-
19 ceed \$40,793,000, which may be expended from the Em-
20 ployment Security Administration account in the Unem-
21 ployment Trust Fund.

22 PENSION AND WELFARE BENEFITS ADMINISTRATION

23 SALARIES AND EXPENSES

24 For necessary expenses for Pension and Welfare Ben-
25 efits Administration, \$65,198,000.

1 PENSION BENEFIT GUARANTY CORPORATION

2 PENSION BENEFIT GUARANTY CORPORATION FUND

3 The Pension Benefit Guaranty Corporation is author-
4 ized to make such expenditures, including financial assist-
5 ance authorized by section 104 of Public Law 96-364,
6 within limits of funds and borrowing authority available
7 to such Corporation, and in accord with law, and to make
8 such contracts and commitments without regard to fiscal
9 year limitations as provided by section 104 of the Govern-
10 ment Corporation Control Act, as amended (31 U.S.C.
11 9104), as may be necessary in carrying out the program
12 through September 30, 1996, for such Corporation: *Pro-*
13 *vided*, That not to exceed \$10,603,000 shall be available
14 for administrative expenses of the Corporation: *Provided*
15 *further*, That expenses of such Corporation in connection
16 with the collection of premiums, the termination of pen-
17 sion plans, for the acquisition, protection or management,
18 and investment of trust assets, and for benefits adminis-
19 tration services shall be considered as non-administrative
20 expenses for the purposes hereof, and excluded from the
21 above limitation.

22 EMPLOYMENT STANDARDS ADMINISTRATION

23 SALARIES AND EXPENSES

24 For necessary expenses for the Employment Stand-
25 ards Administration, including reimbursement to State,

1 Federal, and local agencies and their employees for inspec-
2 tion services rendered, \$254,756,000, together with
3 \$978,000 which may be expended from the Special Fund
4 in accordance with sections 39(c) and 44(j) of the
5 Longshore and Harbor Workers' Compensation Act: *Pro-*
6 *vided*, That the Secretary of Labor is authorized to accept,
7 retain, and spend, until expended, in the name of the De-
8 partment of Labor, all sums of money ordered to be paid
9 to the Secretary of Labor, in accordance with the terms
10 of the Consent Judgment in Civil Action No. 91-0027 of
11 the United States District Court for the District of the
12 Northern Mariana Islands (May 21, 1992): *Provided fur-*
13 *ther*, That the Secretary of Labor is authorized to estab-
14 lish and, in accordance with 31 U.S.C. 3302, collect and
15 deposit in the Treasury fees for processing applications
16 and issuing certificates under sections 11(d) and 14 of the
17 Fair Labor Standards Act of 1938, as amended (29
18 U.S.C. 211(d) and 214) and for processing applications
19 and issuing registrations under Title I of the Migrant and
20 Seasonal Agricultural Worker Protection Act, 29 U.S.C.
21 1801 et seq.

22 SPECIAL BENEFITS

23 (INCLUDING TRANSFER OF FUNDS)

24 For the payment of compensation, benefits, and ex-
25 penses (except administrative expenses) accruing during

1 the current or any prior fiscal year authorized by title 5,
2 chapter 81 of the United States Code; continuation of ben-
3 efits as provided for under the head “Civilian War Bene-
4 fits” in the Federal Security Agency Appropriation Act,
5 1947; the Employees’ Compensation Commission Appro-
6 priation Act, 1944; and sections 4(c) and 5(f) of the War
7 Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per
8 centum of the additional compensation and benefits re-
9 quired by section 10(h) of the Longshore and Harbor
10 Workers’ Compensation Act, as amended, \$218,000,000
11 together with such amounts as may be necessary to be
12 charged to the subsequent year appropriation for the pay-
13 ment of compensation and other benefits for any period
14 subsequent to August 15 of the current year: *Provided*,
15 That such sums as are necessary may be used under sec-
16 tion 8104 of title 5, United States Code, by the Secretary
17 to reimburse an employer, who is not the employer at the
18 time of injury, for portions of the salary of a reemployed,
19 disabled beneficiary: *Provided further*, That balances of re-
20 imbursements unobligated on September 30, 1995, shall
21 remain available until expended for the payment of com-
22 pensation, benefits, and expenses: *Provided further*, That
23 in addition there shall be transferred to this appropriation
24 from the Postal Service and from any other corporation
25 or instrumentality required under section 8147(c) of title

1 5, United States Code, to pay an amount for its fair share
2 of the cost of administration, such sums as the Secretary
3 of Labor determines to be the cost of administration for
4 employees of such fair share entities through September
5 30, 1996: *Provided further*, That of those funds trans-
6 ferred to this account from the fair share entities to pay
7 the cost of administration, \$19,383,000 shall be made
8 available to the Secretary of Labor for expenditures relat-
9 ing to capital improvements in support of Federal Employ-
10 ees' Compensation Act administration, and the balance of
11 such funds shall be paid into the Treasury as miscellane-
12 ous receipts: *Provided further*, That the Secretary may re-
13 quire that any person filing a notice of injury or a claim
14 for benefits under Subchapter 5, U.S.C., chapter 81, or
15 under subchapter 33, U.S.C. 901, et seq. (the Longshore
16 and Harbor Workers' Compensation Act, as amended),
17 provide as part of such notice and claim, such identifying
18 information (including Social Security account number) as
19 such regulations may prescribe.

20 BLACK LUNG DISABILITY TRUST FUND

21 (INCLUDING TRANSFER OF FUNDS)

22 For payments from the Black Lung Disability Trust
23 Fund, \$996,763,000, of which \$949,494,000 shall be
24 available until September 30, 1997, for payment of all
25 benefits as authorized by section 9501(d) (1), (2), (4), and

1 (7), of the Internal Revenue Code of 1954, as amended,
2 and interest on advances as authorized by section
3 9501(c)(2) of that Act, and of which \$27,350,000 shall
4 be available for transfer to Employment Standards Ad-
5 ministration, Salaries and Expenses, and \$19,621,000 for
6 transfer to Departmental Management, Salaries and Ex-
7 penses, and \$298,000 for transfer to Departmental Man-
8 agement, Office of Inspector General, for expenses of oper-
9 ation and administration of the Black Lung Benefits pro-
10 gram as authorized by section 9501(d)(5)(A) of that Act:
11 *Provided*, That in addition, such amounts as may be nec-
12 essary may be charged to the subsequent year appropria-
13 tion for the payment of compensation, interest, or other
14 benefits for any period subsequent to August 15 of the
15 current year: *Provided further*, That in addition such
16 amounts shall be paid from this fund into miscellaneous
17 receipts as the Secretary of the Treasury determines to
18 be the administrative expenses of the Department of the
19 Treasury for administering the fund during the current
20 fiscal year, as authorized by section 9501(d)(5)(B) of that
21 Act.

22 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
23 SALARIES AND EXPENSES

24 For necessary expenses for the Occupational Safety
25 and Health Administration, \$280,000,000 including not

1 to exceed \$65,319,000 which shall be the maximum
2 amount available for grants to States under section 23(g)
3 of the Occupational Safety and Health Act, which grants
4 shall be no less than fifty percent of the costs of State
5 occupational safety and health programs required to be
6 incurred under plans approved by the Secretary under sec-
7 tion 18 of the Occupational Safety and Health Act of
8 1970; and, in addition, notwithstanding 31 U.S.C. 3302,
9 the Occupational Safety and Health Administration may
10 retain up to \$750,000 per fiscal year of training institute
11 course tuition fees, otherwise authorized by law to be col-
12 lected, and may utilize such sums for occupational safety
13 and health training and education grants: *Provided*, That
14 none of the funds appropriated under this paragraph shall
15 be obligated or expended to prescribe, issue, administer,
16 or enforce any standard, rule, regulation, or order under
17 the Occupational Safety and Health Act of 1970 which
18 is applicable to any person who is engaged in a farming
19 operation which does not maintain a temporary labor
20 camp and employs ten or fewer employees: *Provided fur-*
21 *ther*, That no funds appropriated under this paragraph
22 shall be obligated or expended to administer or enforce
23 any standard, rule, regulation, or order under the Occupa-
24 tional Safety and Health Act of 1970 with respect to any
25 employer of ten or fewer employees who is included within

1 a category having an occupational injury lost workday case
2 rate, at the most precise Standard Industrial Classifica-
3 tion Code for which such data are published, less than the
4 national average rate as such rates are most recently pub-
5 lished by the Secretary, acting through the Bureau of
6 Labor Statistics, in accordance with section 24 of that Act
7 (29 U.S.C. 673), except—

8 (1) to provide, as authorized by such Act, con-
9 sultation, technical assistance, educational and train-
10 ing services, and to conduct surveys and studies;

11 (2) to conduct an inspection or investigation in
12 response to an employee complaint, to issue a cita-
13 tion for violations found during such inspection, and
14 to assess a penalty for violations which are not cor-
15 rected within a reasonable abatement period and for
16 any willful violations found;

17 (3) to take any action authorized by such Act
18 with respect to imminent dangers;

19 (4) to take any action authorized by such Act
20 with respect to health hazards;

21 (5) to take any action authorized by such Act
22 with respect to a report of an employment accident
23 which is fatal to one or more employees or which re-
24 sults in hospitalization of two or more employees,

1 and to take any action pursuant to such investiga-
2 tion authorized by such Act; and

3 (6) to take any action authorized by such Act
4 with respect to complaints of discrimination against
5 employees for exercising rights under such Act:

6 *Provided further*, That the foregoing proviso shall not
7 apply to any person who is engaged in a farming operation
8 which does not maintain a temporary labor camp and em-
9 ploys ten or fewer employees.

10 MINE SAFETY AND HEALTH ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses for the Mine Safety and
13 Health Administration, \$196,673,000, including purchase
14 and bestowal of certificates and trophies in connection
15 with mine rescue and first-aid work, and the hire of pas-
16 senger motor vehicles; the Secretary is authorized to ac-
17 cept lands, buildings, equipment, and other contributions
18 from public and private sources and to prosecute projects
19 in cooperation with other agencies, Federal, State, or pri-
20 vate; the Mine Safety and Health Administration is au-
21 thorized to promote health and safety education and train-
22 ing in the mining community through cooperative pro-
23 grams with States, industry, and safety associations; and
24 any funds available to the Department may be used, with
25 the approval of the Secretary, to provide for the costs of

1 mine rescue and survival operations in the event of a
2 major disaster: *Provided*, That none of the funds appro-
3 priated under this paragraph shall be obligated or ex-
4 pended to carry out section 115 of the Federal Mine Safe-
5 ty and Health Act of 1977 or to carry out that portion
6 of section 104(g)(1) of such Act relating to the enforce-
7 ment of any training requirements, with respect to shell
8 dredging, or with respect to any sand, gravel, surface
9 stone, surface clay, colloidal phosphate, or surface lime-
10 stone mine.

11 BUREAU OF LABOR STATISTICS

12 SALARIES AND EXPENSES

13 For necessary expenses for the Bureau of Labor Sta-
14 tistics, including advances or reimbursements to State,
15 Federal, and local agencies and their employees for serv-
16 ices rendered, \$292,462,000, of which \$11,549,000 shall
17 be for expenses of revising the Consumer Price Index and
18 shall remain available until September 30, 1997, together
19 with not to exceed \$49,997,000, which may be expended
20 from the Employment Security Administration account in
21 the Unemployment Trust Fund.

22 DEPARTMENTAL MANAGEMENT

23 SALARIES AND EXPENSES

24 For necessary expenses for Departmental Manage-
25 ment, including the hire of three sedans, and including

1 up to \$4,358,000 for the President's Committee on Em-
2 ployment of People With Disabilities, \$135,997,000; to-
3 gether with not to exceed \$303,000, which may be ex-
4 pended from the Employment Security Administration ac-
5 count in the Unemployment Trust Fund.

6 WORKING CAPITAL FUND

7 The language under this heading in Public Law 85-
8 67, as amended, is further amended by adding the follow-
9 ing before the last period: “: *Provided further*, That within
10 the Working Capital Fund, there is established an Invest-
11 ment in Reinvention Fund (IRF), which shall be available
12 to invest in projects of the Department designed to
13 produce measurable improvements in agency efficiency
14 and significant taxpayer savings. Notwithstanding any
15 other provision of law, the Secretary of Labor may retain
16 up to \$3,900,000 of the unobligated balances in the De-
17 partment's annual Salaries and Expenses accounts as of
18 September 30, 1995, and transfer those amounts to the
19 IRF to provide the initial capital for the IRF, to remain
20 available until expended, to make loans to agencies of the
21 Department for projects designed to enhance productivity
22 and generate cost savings. Such loans shall be repaid to
23 the IRF no later than September 30 of the fiscal year
24 following the fiscal year in which the project is completed.
25 Such repayments shall be deposited in the IRF, to be
26 available without further appropriation action.”

1 ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT
2 AND TRAINING

3 Not to exceed \$170,390,000 may be derived from the
4 Employment Security Administration account in the Un-
5 employment Trust Fund to carry out the provisions of 38
6 U.S.C. 4100–4110A and 4321–4327, and Public Law
7 103–353, and which shall be available for obligation by
8 the States through December 31, 1996.

9 OFFICE OF INSPECTOR GENERAL

10 For salaries and expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, as amended, \$44,426,000, together
13 with not to exceed \$3,615,000, which may be expended
14 from the Employment Security Administration account in
15 the Unemployment Trust Fund.

16 GENERAL PROVISIONS

17 SEC. 101. None of the funds appropriated in this title
18 for the Job Corps shall be used to pay the compensation
19 of an individual, either as direct costs or any proration
20 as an indirect cost, at a rate in excess of \$125,000.

21 SEC. 102. Section 427(c) of the Job Training Part-
22 nership Act, as amended, is repealed.

23 (TRANSFER OF FUNDS)

24 SEC. 103. Not to exceed 1 percent of any appropria-
25 tion made available for the current fiscal year for the De-
26 partment of Labor in this Act may be transferred between

1 such appropriations, but no such appropriation shall be
2 increased by more than 3 percent by any such transfers:
3 *Provided*, That the Appropriations Committees of both
4 Houses of Congress are notified at least fifteen days in
5 advance of any transfers.

6 SEC. 104. None of the funds made available in this
7 Act may be used by the Occupational Safety and Health
8 Administration directly or through section 23(g) of the
9 Occupational Safety and Health Act for the development,
10 promulgation or issuance of any proposed or final stand-
11 ard or guideline regarding ergonomic protection or record-
12 ing and reporting occupational injuries and illnesses di-
13 rectly related thereto.

14 This title may be cited as the “Department of Labor
15 Appropriations Act, 1996”.

16 TITLE II—DEPARTMENT OF HEALTH AND
17 HUMAN SERVICES

18 HEALTH RESOURCES AND SERVICES ADMINISTRATION

19 HEALTH RESOURCES AND SERVICES

20 For carrying out titles II, III, VII, VIII, X, XVI,
21 XIX, and XXVI of the Public Health Service Act, section
22 427(a) of the Federal Coal Mine Health and Safety Act,
23 title V of the Social Security Act, the Health Care Quality
24 Improvement Act of 1986, as amended, and Public Law
25 101–527, \$3,052,752,000, of which \$379,500,000 shall be

1 for part A of title XXVI of the Public Health Service Act
2 and \$250,147,000 shall be for part B of title XXVI (in-
3 cluding \$52,000,000 which shall be available only for sec-
4 tion 2616) of the Public Health Service Act, and of which
5 \$411,000 shall remain available until expended for inter-
6 est subsidies on loan guarantees made prior to fiscal year
7 1981 under part B of title VII of the Public Health Serv-
8 ice Act: *Provided*, That the Division of Federal Occupa-
9 tional Health may utilize personal services contracting to
10 employ professional management/administrative, and oc-
11 cupational health professionals: *Provided further*, That of
12 the funds made available under this heading, \$858,000
13 shall be available until expended for facilities renovations
14 at the Gillis W. Long Hansen's Disease Center: *Provided*
15 *further*, That in addition to fees authorized by section
16 427(b) of the Health Care Quality Improvement Act of
17 1986, fees shall be collected for the full disclosure of infor-
18 mation under the Act sufficient to recover the full costs
19 of operating the National Practitioner Data Bank, and
20 shall remain available until expended to carry out that
21 Act: *Provided further*, That no more than \$5,000,000 is
22 available for carrying out the provisions of Public Law
23 102-501, as amended: *Provided further*, That of the funds
24 made available under this heading, \$193,349,000 shall be
25 for the program under title X of the Public Health Service

1 Act to provide for voluntary family planning projects: *Pro-*
2 *vided further*, That amounts provided to said projects
3 under such title shall not be expended for abortions, that
4 all pregnancy counseling shall be nondirective, and that
5 such amounts shall not be expended for any activity (in-
6 cluding the publication or distribution of literature) that
7 in any way tends to promote public support or opposition
8 to any legislative proposal or candidate for public office:
9 *Provided further*, That notwithstanding any other provi-
10 sion of law, funds made available under this heading may
11 be used to continue operating the Council on Graduate
12 Medical Education established by section 301 of Public
13 Law 102–408: *Provided further*, That funds made avail-
14 able under this heading for activities authorized by part
15 A of title XXVI of the Public Health Service Act are avail-
16 able only for those metropolitan areas previously funded
17 under Public Law 103–333 or with a cumulative total of
18 more than 2,000 cases of AIDS, as reported to the Cen-
19 ters for Disease Control and Prevention as of March 31,
20 1995, and have a population of 500,000 or more.

21 MEDICAL FACILITIES GUARANTEE AND LOAN FUND

22 FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

23 For carrying out subsections (d) and (e) of section
24 1602 of the Public Health Service Act, \$8,000,000, to-
25 gether with any amounts received by the Secretary in con-

1 nection with loans and loan guarantees under title VI of
2 the Public Health Service Act, to be available without fis-
3 cal year limitation for the payment of interest subsidies.
4 During the fiscal year, no commitments for direct loans
5 or loan guarantees shall be made.

6 HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

7 For the cost of guaranteed loans, such sums as may
8 be necessary to carry out the purpose of the program, as
9 authorized by title VII of the Public Health Service Act,
10 as amended: *Provided*, That such costs, including the cost
11 of modifying such loans, shall be as defined in section 502
12 of the Congressional Budget Act of 1974: *Provided fur-*
13 *ther*, That these funds are available to subsidize gross obli-
14 gations for the total loan principal any part of which is
15 to be guaranteed at not to exceed \$210,000,000. In addi-
16 tion, for administrative expenses to carry out the guaran-
17 teed loan program, \$2,688,000.

18 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

19 For payments from the Vaccine Injury Compensation
20 Program Trust Fund, such sums as may be necessary for
21 claims associated with vaccine-related injury or death with
22 respect to vaccines administered after September 30,
23 1988, pursuant to subtitle 2 of title XXI of the Public
24 Health Service Act, to remain available until expended:
25 *Provided*, That for necessary administrative expenses, not

1 to exceed \$3,000,000 shall be available from the Trust
2 Fund to the Secretary of Health and Human Services.

3 VACCINE INJURY COMPENSATION

4 For payment of claims resolved by the United States
5 Court of Federal Claims related to the administration of
6 vaccines before October 1, 1988, \$110,000,000, to remain
7 available until expended.

8 CENTERS FOR DISEASE CONTROL AND PREVENTION

9 DISEASE CONTROL, RESEARCH, AND TRAINING

10 (RESCISSION)

11 Of the amounts made available under this heading
12 in Public Law 103–333, Public Law 103–112, and Public
13 Law 102–394 for immunization activities, \$53,000,000
14 are hereby rescinded: *Provided*, That the Director may re-
15 direct the total amount made available under authority of
16 Public Law 101–502, dated November 3, 1990, to activi-
17 ties the Director may so designate: *Provided further*, That
18 the Congress is to be notified promptly of any such trans-
19 fer.

20 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

21 ADMINISTRATION

22 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

23 For carrying out titles V and XIX of the Public
24 Health Service Act with respect to substance abuse and
25 mental health services, the Protection and Advocacy for

1 Mentally Ill Individuals Act of 1986, and section 301 of
2 the Public Health Service Act with respect to program
3 management, \$1,883,715,000.

4 RETIREMENT PAY AND MEDICAL BENEFITS FOR
5 COMMISSIONED OFFICERS

6 For retirement pay and medical benefits of Public
7 Health Service Commissioned Officers as authorized by
8 law, and for payments under the Retired Serviceman's
9 Family Protection Plan and Survivor Benefit Plan and for
10 medical care of dependents and retired personnel under
11 the Dependents' Medical Care Act (10 U.S.C. ch. 55), and
12 for payments pursuant to section 229(b) of the Social Se-
13 curity Act (42 U.S.C. 429(b)), such amounts as may be
14 required during the current fiscal year.

15 AGENCY FOR HEALTH CARE POLICY AND RESEARCH
16 HEALTH CARE POLICY AND RESEARCH

17 For carrying out titles III and IX of the Public
18 Health Service Act, and part A of title XI of the Social
19 Security Act, \$94,186,000; in addition, amounts received
20 from Freedom of Information Act fees, reimbursable and
21 interagency agreements, and the sale of data tapes shall
22 be credited to this appropriation and shall remain avail-
23 able until expended: *Provided*, That the amount made
24 available pursuant to section 926(b) of the Public Health
25 Service Act shall not exceed \$31,124,000.

1 HEALTH CARE FINANCING ADMINISTRATION
2 GRANTS TO STATES FOR MEDICAID

3 For carrying out, except as otherwise provided, titles
4 XI and XIX of the Social Security Act, \$55,094,355,000,
5 to remain available until expended.

6 For making, after May 31, 1996, payments to States
7 under title XIX of the Social Security Act for the last
8 quarter of fiscal year 1996 for unanticipated costs, in-
9 curred for the current fiscal year, such sums as may be
10 necessary.

11 For making payments to States under title XIX of
12 the Social Security Act for the first quarter of fiscal year
13 1997, \$26,155,350,000, to remain available until ex-
14 pended.

15 Payment under title XIX may be made for any quar-
16 ter with respect to a State plan or plan amendment in
17 effect during such quarter, if submitted in or prior to such
18 quarter and approved in that or any subsequent quarter.

19 PAYMENTS TO HEALTH CARE TRUST FUNDS

20 For payment to the Federal Hospital Insurance and
21 the Federal Supplementary Medical Insurance Trust
22 Funds, as provided under sections 217(g) and 1844 of the
23 Social Security Act, sections 103(c) and 111(d) of the So-
24 cial Security Amendments of 1965, section 278(d) of Pub-
25 lic Law 97-248, and for administrative expenses incurred

1 pursuant to section 201(g) of the Social Security Act,
2 \$63,313,000,000.

3 PROGRAM MANAGEMENT

4 For carrying out, except as otherwise provided, titles
5 XI, XVIII, and XIX of the Social Security Act, and title
6 XIII of the Public Health Service Act, the Clinical Labora-
7 tory Improvement Amendments of 1988, and section
8 4005(e) of Public Law 100–203, not to exceed
9 \$1,734,810,000, together with all funds collected in ac-
10 cordance with section 353 of the Public Health Service
11 Act, the latter funds to remain available until expended;
12 together with such sums as may be collected from author-
13 ized user fees and the sale of data, which shall remain
14 available until expended; the \$1,734,810,000, to be trans-
15 ferred to this appropriation as authorized by section
16 201(g) of the Social Security Act, from the Federal Hos-
17 pital Insurance and the Federal Supplementary Medical
18 Insurance Trust Funds: *Provided*, That all funds derived
19 in accordance with 31 U.S.C. 9701 from organizations es-
20 tablished under title XIII of the Public Health Service Act
21 are to be credited to this appropriation.

22 HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN
23 GUARANTEE FUND

24 For carrying out subsections (d) and (e) of section
25 1308 of the Public Health Service Act, any amounts re-

1 ceived by the Secretary in connection with loans and loan
2 guarantees under title XIII of the Public Health Service
3 Act, to be available without fiscal year limitation for the
4 payment of outstanding obligations. During fiscal year
5 1996, no commitments for direct loans or loan guarantees
6 shall be made.

7 ADMINISTRATION FOR CHILDREN AND FAMILIES

8 FAMILY SUPPORT PAYMENTS TO STATES

9 For making payments to States or other non-Federal
10 entities, except as otherwise provided, under titles I, IV–
11 A (other than section 402(g)(6)) and D, X, XI, XIV, and
12 XVI of the Social Security Act, and the Act of July 5,
13 1960 (24 U.S.C. ch. 9), \$13,614,307,000, to remain avail-
14 able until expended.

15 For making, after May 31 of the current fiscal year,
16 payments to States or other non-Federal entities under
17 titles I, IV–A and D, X, XI, XIV, and XVI of the Social
18 Security Act, for the last three months of the current year
19 for unanticipated costs, incurred for the current fiscal
20 year, such sums as may be necessary.

21 For making payments to States or other non-Federal
22 entities under titles I, IV–A (other than section 402(g)(6))
23 and D, X, XI, XIV, and XVI of the Social Security Act
24 and the Act of July 5, 1960 (24 U.S.C. ch. 9) for the

1 first quarter of fiscal year 1997, \$4,800,000,000, to re-
2 main available until expended.

3 JOB OPPORTUNITIES AND BASIC SKILLS

4 For carrying out aid to families with dependent chil-
5 dren work programs, as authorized by part F of title IV
6 of the Social Security Act, \$1,000,000,000.

7 LOW INCOME HOME ENERGY ASSISTANCE

8 (RESCISSION)

9 Of the funds made available beginning on October 1,
10 1995 under this heading in Public Law 103-333,
11 \$100,000,000 are hereby rescinded.

12 REFUGEE AND ENTRANT ASSISTANCE

13 For making payments for refugee and entrant assist-
14 ance activities authorized by title IV of the Immigration
15 and Nationality Act and section 501 of the Refugee Edu-
16 cation Assistance Act of 1980 (Public Law 96-422),
17 \$397,872,000: *Provided*, That funds appropriated pursu-
18 ant to section 414(a) of the Immigration and Nationality
19 Act under Public Law 103-112 for fiscal year 1994 shall
20 be available for the costs of assistance provided and other
21 activities conducted in such year and in fiscal years 1995
22 and 1996.

23 CHILD CARE AND DEVELOPMENT BLOCK GRANT

24 For carrying out sections 658A through 658R of the
25 Omnibus Budget Reconciliation Act of 1981 (The Child

1 Care and Development Block Grant Act of 1990),
2 \$934,642,000, which shall be available for obligation
3 under the same statutory terms and conditions applicable
4 in the prior fiscal year.

5 SOCIAL SERVICES BLOCK GRANT

6 For making grants to States pursuant to section
7 2002 of the Social Security Act, \$2,520,000,000: *Pro-*
8 *vided*, That notwithstanding section 2003(c) of such Act,
9 the amount specified for allocation under such section for
10 fiscal year 1996 shall be \$2,520,000,000.

11 CHILDREN AND FAMILIES SERVICES PROGRAMS

12 For carrying out, except as otherwise provided, the
13 Runaway and Homeless Youth Act, the Developmental
14 Disabilities Assistance and Bill of Rights Act, the Head
15 Start Act, the Child Abuse Prevention and Treatment Act,
16 the Family Violence Prevention and Services Act, the Na-
17 tive American Programs Act of 1974, title II of Public
18 Law 95–266 (adoption opportunities), the Temporary
19 Child Care for Children with Disabilities and Crisis Nurs-
20 eries Act of 1986, the Abandoned Infants Assistance Act
21 of 1988, and part B(1) of title IV of the Social Security
22 Act; for making payments under the Community Services
23 Block Grant Act (\$435,463,000); and for necessary ad-
24 ministrative expenses to carry out said Acts and titles I,
25 IV, X, XI, XIV, XVI, and XX of the Social Security Act,

1 the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus
2 Budget Reconciliation Act of 1981, title IV of the Immi-
3 gration and Nationality Act, section 501 of the Refugee
4 Education Assistance Act of 1980, and section 126 and
5 titles IV and V of Public Law 100-485, \$4,694,222,000:
6 *Provided*, That to the extent Community Services Block
7 Grant funds are distributed as grant funds by a State to
8 an eligible entity as provided under the Act, and have not
9 been expended by such entity, they shall remain with such
10 entity for carry-over into the next fiscal year for expendi-
11 ture by such entity consistent with program purposes.

12 In addition, \$21,358,000, to be derived from the Vio-
13 lent Crime Reduction Trust Fund, for carrying out sec-
14 tions 40155, 40211, 40241, and 40251 of Public Law
15 103-322.

16 FAMILY PRESERVATION AND SUPPORT

17 For carrying out section 430 of the Social Security
18 Act, \$225,000,000.

19 PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION
20 ASSISTANCE

21 For making payments to States or other non-Federal
22 entities, under title IV-E of the Social Security Act,
23 \$4,322,238,000.

1 ADMINISTRATION ON AGING
2 AGING SERVICES PROGRAMS

3 For carrying out, to the extent not otherwise pro-
4 vided, the Older Americans Act of 1965, as amended,
5 \$801,232,000.

6 OFFICE OF THE SECRETARY
7 GENERAL DEPARTMENTAL MANAGEMENT

8 For necessary expenses, not otherwise provided, for
9 general departmental management, including hire of six
10 medium sedans, and for carrying out titles III, XVII, and
11 XX of the Public Health Service Act, \$136,499,000, to-
12 gether with \$6,628,000, to be transferred and expended
13 as authorized by section 201(g)(1) of the Social Security
14 Act from the Hospital Insurance Trust Fund and the Sup-
15 plemental Medical Insurance Trust Fund: *Provided*, That
16 of the funds made available under this heading for carry-
17 ing out title XVII of the Public Health Service Act,
18 \$7,500,000 shall be available until expended for extra-
19 mural construction.

20 OFFICE OF INSPECTOR GENERAL

21 For expenses necessary for the Office of Inspector
22 General in carrying out the provisions of the Inspector
23 General Act of 1978, as amended, \$29,956,000, together
24 with not to exceed \$1,000,000, to be transferred and ex-
25 pended as authorized by section 201(g)(1) of the Social

1 Security Act from the Hospital Insurance Trust Fund and
2 the Supplemental Medical Insurance Trust Fund.

3 OFFICE FOR CIVIL RIGHTS

4 For expenses necessary for the Office for Civil
5 Rights, \$16,153,000, together with not to exceed
6 \$3,314,000, to be transferred and expended as authorized
7 by section 201(g)(1) of the Social Security Act from the
8 Hospital Insurance Trust Fund and the Supplemental
9 Medical Insurance Trust Fund.

10 POLICY RESEARCH

11 For carrying out, to the extent not otherwise pro-
12 vided, research studies under section 1110 of the Social
13 Security Act, \$9,000,000.

14 GENERAL PROVISIONS

15 SEC. 201. Funds appropriated in this title shall be
16 available for not to exceed \$37,000 for official reception
17 and representation expenses when specifically approved by
18 the Secretary.

19 SEC. 202. The Secretary shall make available through
20 assignment not more than 60 employees of the Public
21 Health Service to assist in child survival activities and to
22 work in AIDS programs through and with funds provided
23 by the Agency for International Development, the United
24 Nations International Children's Emergency Fund or the
25 World Health Organization.

1 SEC. 203. None of the funds appropriated under this
2 Act may be used to implement section 399L(b) of the Pub-
3 lic Health Service Act or section 1503 of the National In-
4 stitutes of Health Revitalization Act of 1993, Public Law
5 103-43.

6 SEC. 204. None of the funds made available by this
7 Act may be used to withhold payment to any State under
8 the Child Abuse Prevention and Treatment Act by reason
9 of a determination that the State is not in compliance with
10 section 1340.2(d)(2)(ii) of title 45 of the Code of Federal
11 Regulations. This provision expires upon the date of enact-
12 ment of the reauthorization of the Child Abuse Prevention
13 and Treatment Act or upon September 30, 1996, which-
14 ever occurs first.

15 SEC. 205. None of the funds appropriated in this or
16 any other Act for the National Institutes of Health and
17 the Substance Abuse and Mental Health Services Admin-
18 istration shall be used to pay the salary of an individual,
19 through a grant or other extramural mechanism, at a rate
20 in excess of \$125,000 per year.

21 SEC. 206. Taps and other assessments made by any
22 office located in the Department of Health and Human
23 Services shall be treated as a reprogramming of funds ex-
24 cept that this provision shall not apply to assessments re-
25 quired by authorizing legislation, or related to working

1 capital funds or other fee-for-service activities. None of the
2 funds appropriated in this Act may be expended pursuant
3 to section 241 of the Public Health Service Act, except
4 for funds specifically provided for in this Act, prior to the
5 Secretary's preparation and submission of a report to the
6 Committee on Appropriations of the Senate and of the
7 House detailing the planned uses of such funds.

8 (TRANSFER OF FUNDS)

9 SEC. 207. Of the funds appropriated or otherwise
10 made available for the Department of Health and Human
11 Services, General Departmental Management, for fiscal
12 year 1996, the Secretary of Health and Human Services
13 shall transfer to the Office of the Inspector General such
14 sums as may be necessary for any expenses with respect
15 to the provision of security protection for the Secretary
16 of Health and Human Services.

17 SEC. 208. None of the funds appropriated in this Act
18 may be obligated or expended for the Federal Council on
19 Aging under the Older Americans Act or the Advisory
20 Board on Child Abuse and Neglect under the Child Abuse
21 Prevention and Treatment Act.

22 (TRANSFER OF FUNDS)

23 SEC. 209. Not to exceed 1 percent of any appropria-
24 tion made available for the current fiscal year for the De-
25 partment of Health and Human Services in this Act may
26 be transferred between such appropriations, but no such

1 appropriation shall be increased by more than 3 percent
2 by any such transfers: *Provided*, That the Appropriations
3 Committees of both Houses of Congress are notified at
4 least fifteen days in advance of any transfers.

5 SEC. 210. Of the funds provided for the account
6 heading “Disease Control, Research, and Training” in
7 Public Law 104–91, \$31,642,000, to be derived from the
8 Violent Crime Reduction Trust Fund, is hereby available
9 for carrying out sections 40151, 40261, and 40293 of
10 Public Law 103–322 notwithstanding any provision of
11 Public Law 104–91.

12 (TRANSFER OF FUNDS)

13 SEC. 211. The Director of the National Institutes of
14 Health may transfer funds made available for the National
15 Institutes of Health under Public Law 104–91 between
16 the Institutes, Centers, and the National Library of Medi-
17 cine to carry out the purposes of part D of title XXIII
18 of the Public Health Service Act, provided that no appro-
19 priation may be decreased by more than 2 percent by any
20 such transfers and that the Congress is promptly notified
21 of the transfer.

22 SEC. 212. In fiscal year 1996, the National Library
23 of Medicine may enter into personal services contracts for
24 the provision of services in facilities owned, operated, or
25 constructed under the jurisdiction of the National Insti-
26 tutes of Health.

1 cational-agency-level census poverty data from the Bureau
2 of the Census: *Provided further*, That \$549,945,000 shall
3 be available for concentration grants under section
4 1124(A) and \$3,370,000 shall be available for evaluations
5 under section 1501: *Provided further*, That no funds shall
6 be reserved under section 1003(a) of said Act.

7 IMPACT AID

8 For carrying out programs of financial assistance to
9 federally affected schools authorized by title VIII of the
10 Elementary and Secondary Education Act of 1965,
11 \$693,000,000, of which \$583,011,000 shall be for basic
12 support payments under section 8003(b), \$40,000,000
13 shall be for payments for children with disabilities under
14 section 8003(d), \$50,000,000, to remain available until
15 expended, shall be for payments under section 8003(f),
16 \$5,000,000 shall be for construction under section 8007,
17 and \$14,989,000 shall be for Federal property payments
18 under section 8002.

19 SCHOOL IMPROVEMENT PROGRAMS

20 For carrying out school improvement activities au-
21 thorized by titles II, IV-A-1, V-A, VI, section 7203, and
22 titles IX, X and XIII of the Elementary and Secondary
23 Education Act of 1965; the Stewart B. McKinney Home-
24 less Assistance Act; and the Civil Rights Act of 1964;
25 \$946,227,000 of which \$773,000,000 shall become avail-

1 able on July 1, 1996, and remain available through Sep-
2 tember 30, 1997: *Provided*, That of the amount appro-
3 priated, \$275,000,000 shall be for Eisenhower profes-
4 sional development State grants under title II–B and
5 \$275,000,000 shall be for innovative education program
6 strategies State grants under title VI–A: *Provided further*,
7 That not less than \$3,000,000 shall be for innovative pro-
8 grams under section 5111.

9 BILINGUAL AND IMMIGRANT EDUCATION

10 For carrying out, to the extent not otherwise pro-
11 vided, bilingual and immigrant education activities author-
12 ized by title VII of the Elementary and Secondary Edu-
13 cation Act, \$150,000,000 of which \$50,000,000 shall be
14 for immigrant education programs authorized by part C:
15 *Provided*, That State educational agencies may use all, or
16 any part of, their part C allocation for competitive grants
17 to local educational agencies: *Provided further*, That the
18 Department of Education should only support instruc-
19 tional programs which ensure that students completely
20 master English in a timely fashion (a period of three to
21 five years) while meeting rigorous achievement standards
22 in the academic content areas: *Provided further*, That no
23 funds shall be available for subpart 3 of part A.

1 SPECIAL EDUCATION

2 For carrying out parts B, C, D, E, F, G, and H and
3 section 610(j)(2)(C) of the Individuals with Disabilities
4 Education Act, \$3,245,447,000, of which \$3,000,000,000
5 shall become available for obligation on July 1, 1996, and
6 shall remain available through September 30, 1997.

7 REHABILITATION SERVICES AND DISABILITY RESEARCH

8 For carrying out, to the extent not otherwise pro-
9 vided, the Rehabilitation Act of 1973, the Technology-Re-
10 lated Assistance for Individuals with Disabilities Act, and
11 the Helen Keller National Center Act, as amended,
12 \$2,452,620,000, of which \$4,500,000 shall be for employ-
13 ment-related activities of the 1996 Paralympic Games.

14 SPECIAL INSTITUTIONS FOR PERSONS WITH
15 DISABILITIES

16 AMERICAN PRINTING HOUSE FOR THE BLIND

17 For carrying out the Act of March 3, 1879, as
18 amended (20 U.S.C. 101 et seq.), \$6,680,000.

19 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

20 For the National Technical Institute for the Deaf
21 under titles I and II of the Education of the Deaf Act
22 of 1986 (20 U.S.C. 4301 et seq.), \$42,180,000: *Provided*,
23 That from the amount available, the Institute may at its
24 discretion use funds for the endowment program as au-
25 thorized under section 207.

GALLAUDET UNIVERSITY

1
2 For the Kendall Demonstration Elementary School,
3 the Model Secondary School for the Deaf, and the partial
4 support of Gallaudet University under titles I and II of
5 the Education of the Deaf Act of 1986 (20 U.S.C. 4301
6 et seq.), \$77,629,000: *Provided*, That from the amount
7 available, the University may at its discretion use funds
8 for the endowment program as authorized under section
9 207.

VOCATIONAL AND ADULT EDUCATION

10
11 For carrying out, to the extent not otherwise pro-
12 vided, the Carl D. Perkins Vocational and Applied Tech-
13 nology Education Act, the Adult Education Act, and the
14 National Literacy Act of 1991, \$1,257,134,000, of which
15 \$4,869,000 shall be for the National Institute for Lit-
16 eracy; and of which \$1,254,215,000 shall become available
17 on July 1, 1996 and shall remain available through Sep-
18 tember 30, 1997: *Provided*, That of the amounts made
19 available under the Carl D. Perkins Vocational and Ap-
20 plied Technology Education Act, \$5,000,000 shall be for
21 national programs under title IV without regard to section
22 451 and \$350,000 shall be for evaluations under section
23 346(b) of the Act.

1 FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

2 For Federal administrative expenses to carry out
3 guaranteed student loans authorized by title IV, part B,
4 of the Higher Education Act, as amended, \$30,066,000.

5 HIGHER EDUCATION

6 For carrying out, to the extent not otherwise pro-
7 vided, parts A and B of title III, without regard to section
8 360(a)(1)(B)(ii), and part A of title IV, part E of title
9 V, parts A, B, and C of title VI, title VII, title IX, part
10 A and subpart 1 of part B of title X, part A of title XI
11 of the Higher Education Act of 1965, as amended, Public
12 Law 102-423 and the Mutual Educational and Cultural
13 Exchange Act of 1961; \$836,964,000, of which
14 \$16,712,000 for interest subsidies under title VII of the
15 Higher Education Act, as amended, shall remain available
16 until expended.

17 HOWARD UNIVERSITY

18 For partial support of Howard University (20 U.S.C.
19 121 et seq.), \$174,671,000.

20 HIGHER EDUCATION FACILITIES LOANS

21 The Secretary is hereby authorized to make such ex-
22 penditures, within the limits of funds available under this
23 heading and in accord with law, and to make such con-
24 tracts and commitments without regard to fiscal year limi-
25 tation, as provided by section 104 of the Government Cor-

1 poration Control Act (31 U.S.C. 9104), as may be nec-
2 essary in carrying out the program for the current fiscal
3 year.

4 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS
5 PROGRAM

6 For administrative expenses to carry out the existing
7 direct loan program of college housing and academic facili-
8 ties loans entered into pursuant to title VII, part C, of
9 the Higher Education Act, as amended, \$700,000.

10 COLLEGE HOUSING LOANS

11 Pursuant to title VII, part C of the Higher Education
12 Act, as amended, for necessary expenses of the college
13 housing loans program, previously carried out under title
14 IV of the Housing Act of 1950, the Secretary shall make
15 expenditures and enter into contracts without regard to
16 fiscal year limitation using loan repayments and other re-
17 sources available to this account. Any unobligated bal-
18 ances becoming available from fixed fees paid into this ac-
19 count pursuant to 12 U.S.C. 1749d, relating to payment
20 of costs for inspections and site visits, shall be available
21 for the operating expenses of this account.

22 HISTORICALLY BLACK COLLEGE AND UNIVERSITY
23 CAPITAL FINANCING, PROGRAM ACCOUNT

24 The total amount of bonds insured pursuant to sec-
25 tion 724 of title VII, part B of the Higher Education Act

1 shall not exceed \$357,000,000, and the cost, as defined
2 in section 502 of the Congressional Budget Act of 1974,
3 of such bonds shall not exceed zero.

4 For administrative expenses to carry out the Histori-
5 cally Black College and University Capital Financing Pro-
6 gram entered into pursuant to title VII, part B of the
7 Higher Education Act, as amended, \$166,000.

8 EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

9 For carrying out activities authorized by the Edu-
10 cational Research, Development, Dissemination, and Im-
11 provement Act; the National Education Statistics Act; sec-
12 tion 2102, parts A, B, C, and D of title III, parts A, B,
13 I, K, and section 10601 of title X, part C of title XIII
14 of the Elementary and Secondary Education Act of 1965,
15 as amended, and section 601 of Public Law 103–227,
16 \$328,268,000: *Provided*, That \$4,000,000 shall be for sec-
17 tion 10601 of the Elementary and Secondary Education
18 Act: *Provided further*, That \$25,000,000 shall be for sec-
19 tion 3136 (K–12 technology learning challenges) of the El-
20 ementary and Secondary Education Act: *Provided further*,
21 That none of the funds appropriated in this paragraph
22 may be obligated or expended for the Goals 2000 Commu-
23 nity Partnerships Program.

1 LIBRARIES

2 For carrying out, to the extent not otherwise pro-
3 vided, titles I, II, and III of the Library Services and Con-
4 struction Act, and title II–B of the Higher Education Act,
5 \$131,505,000, of which \$16,369,000 shall be used to
6 carry out the provisions of title II of the Library Services
7 and Construction Act and shall remain available until ex-
8 pended.

9 DEPARTMENTAL MANAGEMENT

10 PROGRAM ADMINISTRATION

11 For carrying out, to the extent not otherwise pro-
12 vided, the Department of Education Organization Act, in-
13 cluding rental of conference rooms in the District of Co-
14 lumbia and hire of two passenger motor vehicles,
15 \$327,319,000.

16 OFFICE FOR CIVIL RIGHTS

17 For expenses necessary for the Office for Civil
18 Rights, as authorized by section 203 of the Department
19 of Education Organization Act, \$55,451,000.

20 OFFICE OF THE INSPECTOR GENERAL

21 For expenses necessary for the Office of the Inspector
22 General, as authorized by section 212 of the Department
23 of Education Organization Act, \$28,654,000.

1 HEADQUARTERS RENOVATION

2 For necessary expenses for the renovation of the De-
3 partment of Education headquarters building, \$7,000,000,
4 to remain available until September 30, 1998.

5 GENERAL PROVISIONS

6 SEC. 301. No funds appropriated in this Act may be
7 used for the transportation of students or teachers (or for
8 the purchase of equipment for such transportation) in
9 order to overcome racial imbalance in any school or school
10 system, or for the transportation of students or teachers
11 (or for the purchase of equipment for such transportation)
12 in order to carry out a plan of racial desegregation of any
13 school or school system.

14 SEC. 302. None of the funds contained in this Act
15 shall be used to require, directly or indirectly, the trans-
16 portation of any student to a school other than the school
17 which is nearest the student's home, except for a student
18 requiring special education, to the school offering such
19 special education, in order to comply with title VI of the
20 Civil Rights Act of 1964. For the purpose of this section
21 an indirect requirement of transportation of students in-
22 cludes the transportation of students to carry out a plan
23 involving the reorganization of the grade structure of
24 schools, the pairing of schools, or the clustering of schools,
25 or any combination of grade restructuring, pairing or clus-

1 tering. The prohibition described in this section does not
2 include the establishment of magnet schools.

3 SEC. 303. No funds appropriated under this Act may
4 be used to prevent the implementation of programs of vol-
5 untary prayer and meditation in the public schools.

6 SEC. 304. No funds appropriated under this Act shall
7 be made available for opportunity to learn standards or
8 strategies.

9 SEC. 305. Notwithstanding any other provision of
10 law, funds available under section 458 of the Higher Edu-
11 cation Act shall not exceed \$260,000,000 for fiscal year
12 1996. The Department of Education shall use such funds
13 as follows: (i) \$100,000,000 for the indirect administrative
14 expenses of the loan programs under part B and part D
15 of the Higher Education Act; (ii) \$95,000,000 for admin-
16 istrative cost allowances owed to guaranty agencies for fis-
17 cal year 1995 estimated at \$95,000,000; and (iii) adminis-
18 trative cost allowances to guaranty agencies, to be paid
19 quarterly, calculated on the basis of 0.85 percent of the
20 total principal amount of loans upon which insurance was
21 issued on or after October 1, 1995 by such guaranty agen-
22 cy. Receipt of such funds and uses of such funds by guar-
23 anty agencies shall be in accordance with section 428(f)
24 of the Higher Education Act.

1 Notwithstanding any other provision of law, for fiscal
2 year 1996 there shall be available to the Secretary from
3 funds not otherwise appropriated, funds to be obligated
4 for subsidy costs for the William D. Ford Direct Loan
5 Program which represent the estimated long-term cost to
6 the Federal Government of direct administrative expenses
7 calculated on a net present value basis.

8 Notwithstanding section 458 of the Higher Education
9 Act, the Secretary may not use funds available under that
10 section or any other section for subsequent fiscal years
11 for administrative expenses of the William D. Ford Direct
12 Loan Program. The Secretary may not require the return
13 of guaranty agency reserve funds during fiscal year 1996,
14 except after consultation with both the chairman and
15 ranking member of the House Economic and Educational
16 Opportunities Committee and the Senate Labor and
17 Human Resources Committee. Any reserve funds recov-
18 ered by the Secretary shall be returned to the Treasury
19 of the United States for purposes of reducing the Federal
20 debt.

21 No funds available to the Secretary may be used for
22 (1) marketing, advertising or promotion of the William D.
23 Ford Direct Loan Program, or for the hiring of advertis-
24 ing agencies or other third parties to provide advertising
25 services, or (2) payment of administrative fees relating to

1 the William D. Ford Direct Loan Program to institutions
2 of higher education, or (3) for purposes of conducting an
3 evaluation of the William D. Ford Direct Loan Program
4 except as administered by the Advisory Committee on Stu-
5 dent Financial Assistance.

6 Notwithstanding any other provision of law, for aca-
7 demic year 1996–1997 and for each succeeding academic
8 year, loans made under part D of the Higher Education
9 Act, including Federal Direct Consolidation Loans, shall
10 represent not more than 40 percent of the new student
11 loan volume for such year, except that the Secretary shall
12 not enter into an agreement with an eligible institution
13 that has not applied and been accepted for participation
14 in the direct loan program on or before September 30,
15 1995.

16 SEC. 306. None of the funds appropriated in this Act
17 may be obligated or expended to carry out sections 727,
18 932, and 1002 of the Higher Education Act of 1965, sec-
19 tion 621(b) of Public Law 101–589, the President’s Advi-
20 sory Commission on Educational Excellence for Hispanic
21 Americans, and the President’s Board of Advisors on His-
22 torically Black Colleges and Universities.

23 (TRANSFER OF FUNDS)

24 SEC. 307. Not to exceed 1 percent of any appropria-
25 tion made available for the current fiscal year for the De-
26 partment of Education in this Act may be transferred be-

1 tween such appropriations, but no such appropriation shall
2 be increased by more than 3 percent by any such trans-
3 fers: *Provided*, That the Appropriations Committees of
4 both Houses of Congress are notified at least fifteen days
5 in advance of any transfers.

6 This title may be cited as the “Department of Edu-
7 cation Appropriations Act, 1996”.

8 TITLE IV—RELATED AGENCIES

9 ARMED FORCES RETIREMENT HOME

10 For expenses necessary for the Armed Forces Retire-
11 ment Home to operate and maintain the United States
12 Soldiers’ and Airmen’s Home and the United States Naval
13 Home, to be paid from funds available in the Armed
14 Forces Retirement Home Trust Fund, \$55,971,000, of
15 which \$1,954,000 shall remain available until expended
16 for construction and renovation of the physical plants at
17 the United States Soldiers’ and Airmen’s Home and the
18 United States Naval Home: *Provided*, That this appro-
19 priation shall not be available for the payment of hos-
20 pitalization of members of the Soldiers’ and Airmen’s
21 Home in United States Army hospitals at rates in excess
22 of those prescribed by the Secretary of the Army upon
23 recommendation of the Board of Commissioners and the
24 Surgeon General of the Army.

1 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
2 DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING
3 EXPENSES

4 For expenses necessary for the Corporation for Na-
5 tional and Community Service to carry out the provisions
6 of the Domestic Volunteer Service Act of 1973, as amend-
7 ed, \$196,270,000.

8 CORPORATION FOR PUBLIC BROADCASTING

9 For payment to the Corporation for Public Broad-
10 casting, as authorized by the Communications Act of
11 1934, an amount which shall be available within limita-
12 tions specified by that Act, for the fiscal year 1998,
13 \$250,000,000: *Provided*, That no funds made available to
14 the Corporation for Public Broadcasting by this Act shall
15 be used to pay for receptions, parties, or similar forms
16 of entertainment for Government officials or employees:
17 *Provided further*, That none of the funds contained in this
18 paragraph shall be available or used to aid or support any
19 program or activity from which any person is excluded,
20 or is denied benefits, or is discriminated against, on the
21 basis of race, color, national origin, religion, or sex.

22 FEDERAL MEDIATION AND CONCILIATION SERVICE
23 SALARIES AND EXPENSES

24 For expenses necessary for the Federal Mediation
25 and Conciliation Service to carry out the functions vested

1 in it by the Labor Management Relations Act, 1947 (29
2 U.S.C. 171–180, 182–183), including hire of passenger
3 motor vehicles; and for expenses necessary for the Labor-
4 Management Cooperation Act of 1978 (29 U.S.C. 175a);
5 and for expenses necessary for the Service to carry out
6 the functions vested in it by the Civil Service Reform Act,
7 Public Law 95–454 (5 U.S.C. chapter 71), \$32,896,000
8 including \$1,500,000, to remain available through Sep-
9 tember 30, 1997, for activities authorized by the Labor
10 Management Cooperation Act of 1978 (29 U.S.C. 175a):
11 *Provided*, That notwithstanding 31 U.S.C. 3302, fees
12 charged for special training activities up to full-cost recov-
13 ery shall be credited to and merged with this account, and
14 shall remain available until expended: *Provided further*,
15 That the Director of the Service is authorized to accept
16 on behalf of the United States gifts of services and real,
17 personal, or other property in the aid of any projects or
18 functions within the Director’s jurisdiction.

19 FEDERAL MINE SAFETY AND HEALTH REVIEW

20 COMMISSION

21 SALARIES AND EXPENSES

22 For expenses necessary for the Federal Mine Safety
23 and Health Review Commission (30 U.S.C. 801 et seq.),
24 \$6,200,000.

1 NATIONAL COMMISSION ON LIBRARIES AND
2 INFORMATION SCIENCE
3 SALARIES AND EXPENSES

4 For necessary expenses for the National Commission
5 on Libraries and Information Science, established by the
6 Act of July 20, 1970 (Public Law 91-345, as amended
7 by Public Law 102-95), \$829,000.

8 NATIONAL COUNCIL ON DISABILITY
9 SALARIES AND EXPENSES

10 For expenses necessary for the National Council on
11 Disability as authorized by title IV of the Rehabilitation
12 Act of 1973, as amended, \$1,793,000.

13 NATIONAL EDUCATION GOALS PANEL

14 For expenses necessary for the National Education
15 Goals Panel, as authorized by title II, part A of the Goals
16 2000: Educate America Act, \$1,000,000.

17 NATIONAL LABOR RELATIONS BOARD
18 SALARIES AND EXPENSES

19 For expenses necessary for the National Labor Rela-
20 tions Board to carry out the functions vested in it by the
21 Labor-Management Relations Act, 1947, as amended (29
22 U.S.C. 141-167), and other laws, \$167,245,000: *Pro-*
23 *vided*, That no part of this appropriation shall be available
24 to organize or assist in organizing agricultural laborers or
25 used in connection with investigations, hearings, direc-

1 tives, or orders concerning bargaining units composed of
2 agricultural laborers as referred to in section 2(3) of the
3 Act of July 5, 1935 (29 U.S.C. 152), and as amended
4 by the Labor-Management Relations Act, 1947, as amend-
5 ed, and as defined in section 3(f) of the Act of June 25,
6 1938 (29 U.S.C. 203), and including in said definition em-
7 ployees engaged in the maintenance and operation of
8 ditches, canals, reservoirs, and waterways when main-
9 tained or operated on a mutual, nonprofit basis and at
10 least 95 per centum of the water stored or supplied there-
11 by is used for farming purposes: *Provided further*, That
12 no part of this appropriation may be used by the National
13 Labor Relations Board to petition a United States district
14 court for temporary relief or a restraining order as de-
15 scribed under section 10(j) of the National Labor Rela-
16 tions Act unless there is a reasonable likelihood of success
17 on the merits of the complaint that an unfair labor prac-
18 tice has occurred, there is a possibility of irreparable harm
19 if such relief is not granted, a balancing of hardships fa-
20 vors injunctive relief, and harm to the public interest
21 stemming from injunctive relief is tolerable in light of the
22 benefits achieved by such relief.

1 NATIONAL MEDIATION BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary to carry out the provisions
4 of the Railway Labor Act, as amended (45 U.S.C. 151–
5 188), including emergency boards appointed by the Presi-
6 dent, \$7,837,000.

7 OCCUPATIONAL SAFETY AND HEALTH REVIEW

8 COMMISSION

9 SALARIES AND EXPENSES

10 For expenses necessary for the Occupational Safety
11 and Health Review Commission (29 U.S.C. 661),
12 \$8,100,000.

13 PHYSICIAN PAYMENT REVIEW COMMISSION

14 SALARIES AND EXPENSES

15 For expenses necessary to carry out section 1845(a)
16 of the Social Security Act, \$2,923,000, to be transferred
17 to this appropriation from the Federal Supplementary
18 Medical Insurance Trust Fund.

19 PROSPECTIVE PAYMENT ASSESSMENT COMMISSION

20 SALARIES AND EXPENSES

21 For expenses necessary to carry out section 1886(e)
22 of the Social Security Act, \$3,267,000, to be transferred
23 to this appropriation from the Federal Hospital Insurance
24 and the Federal Supplementary Medical Insurance Trust
25 Funds.

1 SOCIAL SECURITY ADMINISTRATION

2 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

3 For payment to the Federal Old-Age and Survivors
4 Insurance and the Federal Disability Insurance trust
5 funds, as provided under sections 201(m), 228(g), and
6 1131(b)(2) of the Social Security Act, \$22,641,000.

7 In addition, to reimburse these trust funds for admin-
8 istrative expenses to carry out sections 9704 and 9706 of
9 the Internal Revenue Code of 1986, \$10,000,000, to re-
10 main available until expended.

11 SPECIAL BENEFITS FOR DISABLED COAL MINERS

12 For carrying out title IV of the Federal Mine Safety
13 and Health Act of 1977, \$485,396,000, to remain avail-
14 able until expended.

15 For making, after July 31 of the current fiscal year,
16 benefit payments to individuals under title IV of the Fed-
17 eral Mine Safety and Health Act of 1977, for costs in-
18 curred in the current fiscal year, such amounts as may
19 be necessary.

20 For making benefit payments under title IV of the
21 Federal Mine Safety and Health Act of 1977 for the first
22 quarter of fiscal year 1997, \$170,000,000, to remain
23 available until expended.

1 SUPPLEMENTAL SECURITY INCOME PROGRAM

2 For carrying out titles XI and XVI of the Social Se-
3 curity Act, section 401 of Public Law 92–603, section 212
4 of Public Law 93–66, as amended, and section 405 of
5 Public Law 95–216, including payment to the Social Secu-
6 rity trust funds for administrative expenses incurred pur-
7 suant to section 201(g)(1) of the Social Security Act,
8 \$18,753,834,000, to remain available until expended: *Pro-*
9 *vided*, That any portion of the funds provided to a State
10 in the current fiscal year and not obligated by the State
11 during that year shall be returned to the Treasury.

12 For making, after June 15 of the current fiscal year,
13 benefit payments to individuals under title XVI of the So-
14 cial Security Act, for unanticipated costs incurred for the
15 current fiscal year, such sums as may be necessary.

16 For carrying out title XVI of the Social Security Act
17 for the first quarter of fiscal year 1997, \$9,260,000,000,
18 to remain available until expended.

19 LIMITATION ON ADMINISTRATIVE EXPENSES

20 For necessary expenses, including the hire of two me-
21 dium size passenger motor vehicles, and not to exceed
22 \$10,000 for official reception and representation expenses,
23 not more than \$5,164,268,000 may be expended, as au-
24 thorized by section 201(g)(1) of the Social Security Act
25 or as necessary to carry out sections 9704 and 9706 of

1 the Internal Revenue Code of 1986 from any one or all
2 of the trust funds referred to therein: *Provided*, That reim-
3 bursement to the trust funds under this heading for ad-
4 ministrative expenses to carry out sections 9704 and 9706
5 of the Internal Revenue Code of 1986 shall be made, with
6 interest, not later than September 30, 1997.

7 In addition to funding already available under this
8 heading, and subject to the same terms and conditions,
9 \$407,000,000, for disability caseload processing.

10 In addition to funding already available under this
11 heading, and subject to the same terms and conditions,
12 \$228,000,000, which shall remain available until ex-
13 pended, to invest in a state-of-the-art computing network,
14 including related equipment and administrative expenses
15 associated solely with this network, for the Social Security
16 Administration and the State Disability Determination
17 Services, may be expended from any or all of the trust
18 funds as authorized by section 201(g)(1) of the Social
19 Security Act.

20 OFFICE OF INSPECTOR GENERAL

21 For expenses necessary for the Office of Inspector
22 General in carrying out the provisions of the Inspector
23 General Act of 1978, as amended, \$4,816,000, together
24 with not to exceed \$21,076,000, to be transferred and ex-
25 pended as authorized by section 201(g)(1) of the Social
26 Security Act from the Federal Old-Age and Survivors In-

1 surance Trust Fund and the Federal Disability Insurance
2 Trust Fund.

3 RAILROAD RETIREMENT BOARD

4 DUAL BENEFITS PAYMENTS ACCOUNT

5 For payment to the Dual Benefits Payments Ac-
6 count, authorized under section 15(d) of the Railroad Re-
7 tirement Act of 1974, \$239,000,000, which shall include
8 amounts becoming available in fiscal year 1996 pursuant
9 to section 224(c)(1)(B) of Public Law 98-76; and in addi-
10 tion, an amount, not to exceed 2 percent of the amount
11 provided herein, shall be available proportional to the
12 amount by which the product of recipients and the average
13 benefit received exceeds \$239,000,000: *Provided*, That the
14 total amount provided herein shall be credited in 12 ap-
15 proximately equal amounts on the first day of each month
16 in the fiscal year.

17 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

18 ACCOUNTS

19 For payment to the accounts established in the
20 Treasury for the payment of benefits under the Railroad
21 Retirement Act for interest earned on unnegotiated
22 checks, \$300,000, to remain available through September
23 30, 1997, which shall be the maximum amount available
24 for payment pursuant to section 417 of Public Law
25 98-76.

1 LIMITATION ON ADMINISTRATION

2 For necessary expenses for the Railroad Retirement
3 Board, \$73,561,000, to be derived from the railroad re-
4 tirement accounts.

5 LIMITATION ON RAILROAD UNEMPLOYMENT INSURANCE
6 ADMINISTRATION FUND

7 For further expenses necessary for the Railroad Re-
8 tirement Board, for administration of the Railroad Unem-
9 ployment Insurance Act, not less than \$17,255,000 shall
10 be apportioned for fiscal year 1996 from moneys credited
11 to the railroad unemployment insurance administration
12 fund.

13 SPECIAL MANAGEMENT IMPROVEMENT FUND

14 To effect management improvements, including the
15 reduction of backlogs, accuracy of taxation accounting,
16 and debt collection, \$659,000, to be derived from the rail-
17 road retirement accounts and railroad unemployment in-
18 surance account: *Provided*, That these funds shall supple-
19 ment, not supplant, existing resources devoted to such op-
20 erations and improvements.

21 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

22 For expenses necessary for the Office of Inspector
23 General for audit, investigatory and review activities, as
24 authorized by the Inspector General Act of 1978, as
25 amended, not more than \$5,673,000, to be derived from

1 the railroad retirement accounts and railroad unemploy-
2 ment insurance account.

3 UNITED STATES INSTITUTE OF PEACE

4 OPERATING EXPENSES

5 For necessary expenses of the United States Institute
6 of Peace as authorized in the United States Institute of
7 Peace Act, \$11,500,000.

8 TITLE V—GENERAL PROVISIONS

9 SEC. 501. The Secretaries of Labor, Health and
10 Human Services, and Education are authorized to transfer
11 unexpended balances of prior appropriations to accounts
12 corresponding to current appropriations provided in this
13 Act: *Provided*, That such transferred balances are used for
14 the same purpose, and for the same periods of time, for
15 which they were originally appropriated.

16 SEC. 502. No part of any appropriation contained in
17 this Act shall remain available for obligation beyond the
18 current fiscal year unless expressly so provided herein.

19 SEC. 503. (a) No part of any appropriation contained
20 in this Act shall be used, other than for normal and recog-
21 nized executive-legislative relationships, for publicity or
22 propaganda purposes, for the preparation, distribution, or
23 use of any kit, pamphlet, booklet, publication, radio, tele-
24 vision, or film presentation designed to support or defeat

1 legislation pending before the Congress, except in presen-
2 tation to the Congress itself.

3 (b) No part of any appropriation contained in this
4 Act shall be used to pay the salary or expenses of any
5 grant or contract recipient, or agent acting for such recipi-
6 ent, related to any activity designed to influence legislation
7 or appropriations pending before the Congress.

8 SEC. 504. The Secretaries of Labor and Education
9 are each authorized to make available not to exceed
10 \$15,000 from funds available for salaries and expenses
11 under titles I and III, respectively, for official reception
12 and representation expenses; the Director of the Federal
13 Mediation and Conciliation Service is authorized to make
14 available for official reception and representation expenses
15 not to exceed \$2,500 from the funds available for “Sala-
16 ries and expenses, Federal Mediation and Conciliation
17 Service”; and the Chairman of the National Mediation
18 Board is authorized to make available for official reception
19 and representation expenses not to exceed \$2,500 from
20 funds available for “Salaries and expenses, National Medi-
21 ation Board”.

22 SEC. 505. Notwithstanding any other provision of
23 this Act, no funds appropriated under this Act shall be
24 used to carry out any program of distributing sterile nee-
25 dles for the hypodermic injection of any illegal drug unless

1 the Secretary of Health and Human Services determines
2 that such programs are effective in preventing the spread
3 of HIV and do not encourage the use of illegal drugs.

4 SEC. 506. (a) PURCHASE OF AMERICAN-MADE
5 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-
6 gress that, to the greatest extent practicable, all equip-
7 ment and products purchased with funds made available
8 in this Act should be American-made.

9 (b) NOTICE REQUIREMENT.—In providing financial
10 assistance to, or entering into any contract with, any en-
11 tity using funds made available in this Act, the head of
12 each Federal agency, to the greatest extent practicable,
13 shall provide to such entity a notice describing the state-
14 ment made in subsection (a) by the Congress.

15 SEC. 507. When issuing statements, press releases,
16 requests for proposals, bid solicitations and other docu-
17 ments describing projects or programs funded in whole or
18 in part with Federal money, all grantees receiving Federal
19 funds, including but not limited to State and local govern-
20 ments and recipients of Federal research grants, shall
21 clearly state (1) the percentage of the total costs of the
22 program or project which will be financed with Federal
23 money, (2) the dollar amount of Federal funds for the
24 project or program, and (3) percentage and dollar amount

1 of the total costs of the project or program that will be
2 financed by nongovernmental sources.

3 SEC. 508. None of the funds appropriated under this
4 Act shall be expended for any abortion except when it is
5 made known to the Federal entity or official to which
6 funds are appropriated under this Act that such procedure
7 is necessary to save the life of the mother or that the preg-
8 nancy is the result of an act of rape or incest.

9 SEC. 509. Effective October 1, 1993, and applicable
10 thereafter, and notwithstanding any other law, each State
11 is and remains free not to fund abortions to the extent
12 that the State in its sole discretion deems appropriate, ex-
13 cept where the life of the mother would be endangered if
14 the fetus were carried to term.

15 SEC. 510. Notwithstanding any other provision of
16 law—

17 (1) no amount may be transferred from an ap-
18 propriation account for the Departments of Labor,
19 Health and Human Services, and Education except
20 as authorized in this or any subsequent appropria-
21 tion act, or in the Act establishing the program or
22 activity for which funds are contained in this Act;

23 (2) no department, agency, or other entity,
24 other than the one responsible for administering the
25 program or activity for which an appropriation is

1 made in this Act, may exercise authority for the tim-
2 ing of the obligation and expenditure of such appro-
3 priation, or for the purposes for which it is obligated
4 and expended, except to the extent and in the man-
5 ner otherwise provided in sections 1512 and 1513 of
6 title 31, United States Code; and

7 (3) no funds provided under this Act shall be
8 available for the salary (or any part thereof) of an
9 employee who is reassigned on a temporary detail
10 basis to another position in the employing agency or
11 department or in any other agency or department,
12 unless the detail is independently approved by the
13 head of the employing department or agency.

14 SEC. 511. LIMITATION ON USE OF FUNDS.—None
15 of the funds made available in this Act may be used for
16 the expenses of an electronic benefit transfer (EBT) task
17 force.

18 SEC. 512. None of the funds made available in this
19 Act may be used to enforce the requirements of section
20 428(b)(1)(U)(iii) of the Higher Education Act of 1965
21 with respect to any lender when it is made known to the
22 Federal official having authority to obligate or expend
23 such funds that the lender has a loan portfolio under part
24 B of title IV of such Act that is equal to or less than
25 \$5,000,000.

1 SEC. 513. None of the funds made available in this
2 Act may be used for Pell Grants under subpart 1 of part
3 A of title IV of the Higher Education Act of 1965 to stu-
4 dents attending an institution of higher education that is
5 ineligible to participate in a loan program under such title
6 as a result of a default determination under section
7 435(a)(2) of such Act, unless such institution has a par-
8 ticipation rate index (as defined at 34 CFR 668.17) that
9 is less than or equal to 0.0375.

10 SEC. 514. (a) HIGH COST TRAINING EXCEPTION.—
11 Section 428H(d)(2) of the Higher Education Act of 1965
12 (20 U.S.C. 1078–8(d)(2)) is amended by striking out the
13 period at the end thereof and inserting in lieu thereof a
14 semicolon and the following: “except in cases where the
15 Secretary determines that a higher amount is warranted
16 in order to carry out the purpose of this part with respect
17 to students engaged in specialized training requiring ex-
18 ceptionally high costs of education, but the annual insur-
19 able limit per student shall not be deemed to be exceeded
20 by a line of credit under which actual payments by the
21 lender to the borrower will not be made in any years in
22 excess of the annual limit.”.

23 (b) EFFECTIVE DATE.—The amendments made by
24 subsection (a) shall be effective for loans made to cover

1 the cost of instruction for periods of enrollment beginning
2 on or after July 1, 1996.

3 SEC. 515. None of the funds made available in this
4 Act may be used to carry out any Federal program, or
5 to provide financial assistance to any State, when it is
6 made known to the Federal official having authority to
7 obligate or expend such funds that—

8 (1) such Federal program or State subject any
9 health care entity to discrimination on the basis
10 that—

11 (A) the entity refuses to undergo training
12 in the performance of induced abortions, to pro-
13 vide such training, to perform such abortions,
14 or to provide referrals for such abortions;

15 (B) the entity refuses to make arrange-
16 ments for any of the activities specified in sub-
17 paragraph (A); or

18 (C) the entity attends (or attended) a post-
19 graduate physician training program, or any
20 other program of training in the health profes-
21 sions, that does not (or did not) require or pro-
22 vide training in the performance of induced
23 abortions, or make arrangements for the provi-
24 sion of such training; or

1 (2) in granting a legal status to a health care
2 entity (including a license or certificate), or in pro-
3 viding to the entity financial assistance, a service, or
4 another benefit, such Federal program or State re-
5 quire that the entity be an accredited postgraduate
6 physician training program, or that the entity have
7 completed or be attending such a program, if the ap-
8 plicable standards for accreditation of the program
9 include the standard that the program must require
10 or provide training in the performance of induced
11 abortions, or make arrangements for the provision of
12 such training.

13 EXTENSION OF PERIOD OF HOME HEALTH AGENCY

14 RECERTIFICATION SURVEYS

15 SEC. 516. Section 1891(c)(2)(A) of the Social Secu-
16 rity Act (42 U.S.C. 1395bbb(c)(2)(A)) is amended—

17 (1) by striking “15 months” and inserting “36
18 months”, and

19 (2) by striking the second sentence and insert-
20 ing the following: “The Secretary shall establish a
21 frequency for surveys of home health agencies within
22 this 36-month interval commensurate with the need
23 to assure the delivery of quality home health serv-
24 ices.”.

1 TITLE VI—ADDITIONAL APPROPRIATIONS

2 SEC. 601. In addition to amounts otherwise provided
3 in this Act, the following amounts are hereby appropriated
4 as specified for the following appropriation accounts:
5 Health Care Financing Administration, “Program Man-
6 agement”, \$396,000,000; Office of the Secretary, “Office
7 of Inspector General”, \$43,000,000; and Social Security
8 Administration, “Limitation on Administrative Ex-
9 penses”, \$111,000,000.

10 SEC. 602. Appropriations and funds made available
11 pursuant to section 601 of this Act shall be available until
12 enactment into law of a subsequent appropriation for fis-
13 cal year 1996 for any project or activity provided for in
14 section 601.

15 This Act may be cited as the “Departments of Labor,
16 Health and Human Services, and Education, and Related
17 Agencies Appropriations Act, 1996”.

18 (d) Such amounts as may be necessary for programs,
19 projects or activities provided for in the Departments of
20 Veterans Affairs and Housing and Urban Development,
21 and Independent Agencies Appropriations Act, 1996, at
22 a rate of operations and to the extent and in the manner
23 provided for, the provisions of such Act to be effective as
24 if it had been enacted into law as the regular appropria-
25 tions Act, as follows:

1 AN ACT

2 Making appropriations for the Departments of Veter-
3 ans Affairs and Housing and Urban Development, and for
4 sundry independent agencies, boards, commissions, cor-
5 porations, and offices for the fiscal year ending September
6 30, 1996, and for other purposes.

7 TITLE I

8 DEPARTMENT OF VETERANS AFFAIRS

9 VETERANS BENEFITS ADMINISTRATION

10 COMPENSATION AND PENSIONS

11 (INCLUDING TRANSFER OF FUNDS)

12 For the payment of compensation benefits to or on
13 behalf of veterans as authorized by law (38 U.S.C. 107,
14 chapters 11, 13, 51, 53, 55, and 61); pension benefits to
15 or on behalf of veterans as authorized by law (38 U.S.C.
16 chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and bur-
17 ial benefits, emergency and other officers' retirement pay,
18 adjusted-service credits and certificates, payment of pre-
19 miums due on commercial life insurance policies guaran-
20 teed under the provisions of Article IV of the Soldiers'
21 and Sailors' Civil Relief Act of 1940, as amended, and
22 for other benefits as authorized by law (38 U.S.C. 107,
23 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61;
24 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735;
25 76 Stat. 1198); \$18,331,561,000, to remain available
26 until expended: *Provided*, That not to exceed \$25,180,000

1 of the amount appropriated shall be reimbursed to “Gen-
2 eral operating expenses” and “Medical care” for necessary
3 expenses in implementing those provisions authorized in
4 the Omnibus Budget Reconciliation Act of 1990, and in
5 the Veterans’ Benefits Act of 1992 (38 U.S.C. chapters
6 51, 53, and 55), the funding source for which is specifi-
7 cally provided as the “Compensation and pensions” appro-
8 priation: *Provided further*, That such sums as may be
9 earned on an actual qualifying patient basis, shall be reim-
10 bursed to “Medical facilities revolving fund” to augment
11 the funding of individual medical facilities for nursing
12 home care provided to pensioners as authorized by the
13 Veterans’ Benefits Act of 1992 (38 U.S.C. chapter 55):
14 *Provided further*, That \$12,000,000 previously transferred
15 from “Compensation and pensions” to “Medical facilities
16 revolving fund” shall be transferred to this heading.

17 READJUSTMENT BENEFITS

18 For the payment of readjustment and rehabilitation
19 benefits to or on behalf of veterans as authorized by law
20 (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53,
21 55, and 61), \$1,345,300,000, to remain available until ex-
22 pended: *Provided*, That funds shall be available to pay any
23 court order, court award or any compromise settlement
24 arising from litigation involving the vocational training
25 program authorized by section 18 of Public Law 98–77,
26 as amended.

1 VETERANS INSURANCE AND INDEMNITIES

2 For military and naval insurance, national service life
3 insurance, servicemen's indemnities, service-disabled vet-
4 erans insurance, and veterans mortgage life insurance as
5 authorized by law (38 U.S.C. chapter 19; 70 Stat. 887;
6 72 Stat. 487), \$24,890,000, to remain available until ex-
7 pended.

8 GUARANTY AND INDEMNITY PROGRAM ACCOUNT

9 (INCLUDING TRANSFER OF FUNDS)

10 For the cost of direct and guaranteed loans, such
11 sums as may be necessary to carry out the purpose of the
12 program, as authorized by 38 U.S.C. chapter 37, as
13 amended: *Provided*, That such costs, including the cost of
14 modifying such loans, shall be as defined in section 502
15 of the Congressional Budget Act of 1974, as amended.

16 In addition, for administrative expenses to carry out
17 the direct and guaranteed loan programs, \$65,226,000,
18 which may be transferred to and merged with the appro-
19 priation for "General operating expenses".

20 LOAN GUARANTY PROGRAM ACCOUNT

21 (INCLUDING TRANSFER OF FUNDS)

22 For the cost of direct and guaranteed loans, such
23 sums as may be necessary to carry out the purpose of the
24 program, as authorized by 38 U.S.C. chapter 37, as
25 amended: *Provided*, That such costs, including the cost of

1 modifying such loans, shall be as defined in section 502
2 of the Congressional Budget Act of 1974, as amended.

3 In addition, for administrative expenses to carry out
4 the direct and guaranteed loan programs, \$52,138,000,
5 which may be transferred to and merged with the appro-
6 priation for “General operating expenses”.

7 DIRECT LOAN PROGRAM ACCOUNT
8 (INCLUDING TRANSFER OF FUNDS)

9 For the cost of direct loans, such sums as may be
10 necessary to carry out the purpose of the program, as au-
11 thorized by 38 U.S.C. chapter 37, as amended: *Provided*,
12 That such costs, including the cost of modifying such
13 loans, shall be as defined in section 502 of the Congres-
14 sional Budget Act of 1974, as amended: *Provided further*,
15 That during 1996, within the resources available, not to
16 exceed \$300,000 in gross obligations for direct loans are
17 authorized for specially adapted housing loans (38 U.S.C.
18 chapter 37).

19 In addition, for administrative expenses to carry out
20 the direct loan program, \$459,000, which may be trans-
21 ferred to and merged with the appropriation for “General
22 operating expenses”.

23 EDUCATION LOAN FUND PROGRAM ACCOUNT
24 (INCLUDING TRANSFER OF FUNDS)

25 For the cost of direct loans, \$1,000, as authorized
26 by 38 U.S.C. 3698, as amended: *Provided*, That such

1 costs, including the cost of modifying such loans, shall be
2 as defined in section 502 of the Congressional Budget Act
3 of 1974, as amended: *Provided further*, That these funds
4 are available to subsidize gross obligations for the prin-
5 cipal amount of direct loans not to exceed \$4,000.

6 In addition, for administrative expenses necessary to
7 carry out the direct loan program, \$195,000, which may
8 be transferred to and merged with the appropriation for
9 “General operating expenses”.

10 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT
11 (INCLUDING TRANSFER OF FUNDS)

12 For the cost of direct loans, \$54,000, as authorized
13 by 38 U.S.C. chapter 31, as amended: *Provided*, That such
14 costs, including the cost of modifying such loans, shall be
15 as defined in section 502 of the Congressional Budget Act
16 of 1974, as amended: *Provided further*, That these funds
17 are available to subsidize gross obligations for the prin-
18 cipal amount of direct loans not to exceed \$1,964,000.

19 In addition, for administrative expenses necessary to
20 carry out the direct loan program, \$377,000, which may
21 be transferred to and merged with the appropriation for
22 “General operating expenses”.

1 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
2 ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 For administrative expenses to carry out the direct
5 loan program authorized by 38 U.S.C. chapter 37, sub-
6 chapter V, as amended, \$205,000, which may be trans-
7 ferred to and merged with the appropriation for “General
8 operating expenses”.

9 VETERANS HEALTH ADMINISTRATION
10 MEDICAL CARE

11 For necessary expenses for the maintenance and op-
12 eration of hospitals, nursing homes, and domiciliary facili-
13 ties; for furnishing, as authorized by law, inpatient and
14 outpatient care and treatment to beneficiaries of the De-
15 partment of Veterans Affairs, including care and treat-
16 ment in facilities not under the jurisdiction of the Depart-
17 ment of Veterans Affairs, and furnishing recreational fa-
18 cilities, supplies, and equipment; funeral, burial, and other
19 expenses incidental thereto for beneficiaries receiving care
20 in Department of Veterans Affairs facilities; administra-
21 tive expenses in support of planning, design, project man-
22 agement, real property acquisition and disposition, con-
23 struction and renovation of any facility under the jurisdic-
24 tion or for the use of the Department of Veterans Affairs;
25 oversight, engineering and architectural activities not
26 charged to project cost; repairing, altering, improving or

1 providing facilities in the several hospitals and homes
2 under the jurisdiction of the Department of Veterans Af-
3 fairs, not otherwise provided for, either by contract or by
4 the hire of temporary employees and purchase of mate-
5 rials; uniforms or allowances therefor, as authorized by
6 law (5 U.S.C. 5901–5902); aid to State homes as author-
7 ized by law (38 U.S.C. 1741); and not to exceed
8 \$8,000,000 to fund cost comparison studies as referred
9 to in 38 U.S.C. 8110(a)(5); \$16,564,000,000, plus reim-
10 bursements: *Provided*, That of the funds made available
11 under this heading, \$789,000,000 is for the equipment
12 and land and structures object classifications only, which
13 amount shall not become available for obligation until Au-
14 gust 1, 1996, and shall remain available for obligation
15 until September 30, 1997.

16 MEDICAL AND PROSTHETIC RESEARCH

17 For necessary expenses in carrying out programs of
18 medical and prosthetic research and development as au-
19 thorized by law (38 U.S.C. chapter 73), to remain avail-
20 able until September 30, 1997, \$257,000,000, plus reim-
21 bursements.

22 MEDICAL ADMINISTRATION AND MISCELLANEOUS

23 OPERATING EXPENSES

24 For necessary expenses in the administration of the
25 medical, hospital, nursing home, domiciliary, construction,
26 supply, and research activities, as authorized by law; ad-

1 ministrative expenses in support of planning, design,
2 project management, architectural, engineering, real prop-
3 erty acquisition and disposition, construction and renova-
4 tion of any facility under the jurisdiction or for the use
5 of the Department of Veterans Affairs, including site ac-
6 quisition; engineering and architectural activities not
7 charged to project cost; and research and development in
8 building construction technology; \$63,602,000, plus reim-
9 bursements.

10 TRANSITIONAL HOUSING LOAN PROGRAM

11 (INCLUDING TRANSFER OF FUNDS)

12 For the cost of direct loans, \$7,000, as authorized
13 by Public Law 102–54, section 8, which shall be trans-
14 ferred from the “General post fund”: *Provided*, That such
15 costs, including the cost of modifying such loans, shall be
16 as defined in section 502 of the Congressional Budget Act
17 of 1974, as amended: *Provided further*, That these funds
18 are available to subsidize gross obligations for the prin-
19 cipal amount of direct loans not to exceed \$70,000. In ad-
20 dition, for administrative expenses to carry out the direct
21 loan program, \$54,000, which shall be transferred from
22 the “General post fund”, as authorized by Public Law
23 102–54, section 8.

1 DEPARTMENTAL ADMINISTRATION

2 GENERAL OPERATING EXPENSES

3 For necessary operating expenses of the Department
4 of Veterans Affairs, not otherwise provided for, including
5 uniforms or allowances therefor, as authorized by law; not
6 to exceed \$25,000 for official reception and representation
7 expenses; hire of passenger motor vehicles; and reimburse-
8 ment of the General Services Administration for security
9 guard services, and the Department of Defense for the
10 cost of overseas employee mail; \$848,143,000: *Provided*,
11 That of the amount appropriated and any other funds
12 made available from any other source for activities funded
13 under this heading, except reimbursements, not to exceed
14 \$214,109,000 shall be available for General Administra-
15 tion; including not to exceed (1) \$2,766,000 for personnel
16 compensation and benefits and \$50,000 for travel in the
17 Office of the Secretary, (2) \$4,397,000 for personnel com-
18 pensation and benefits and \$75,000 for travel in the Office
19 of the Assistant Secretary for Policy and Planning, (3)
20 \$1,980,000 for personnel compensation and benefits and
21 \$33,000 for travel in the Office of the Assistant Secretary
22 for Congressional Affairs, and (4) \$3,740,000 for person-
23 nel compensation and benefits and \$100,000 for travel in
24 the Office of Assistant Secretary for Public and Intergov-
25 ernmental Affairs: *Provided further*, That during fiscal

1 year 1996, notwithstanding any other provision of law, the
2 number of individuals employed by the Department of Vet-
3 erans Affairs (1) in other than “career appointee” posi-
4 tions in the Senior Executive Service shall not exceed 6,
5 and (2) in schedule C positions shall not exceed 11: *Pro-*
6 *vided further*, That not to exceed \$6,000,000 of the
7 amount appropriated shall be available for administrative
8 expenses to carry out the direct and guaranteed loan pro-
9 grams under the Loan Guaranty Program Account: *Pro-*
10 *vided further*, That funds under this heading shall be avail-
11 able to administer the Service Members Occupational Con-
12 version and Training Act: *Provided further*, That none of
13 the funds under this heading may be obligated or ex-
14 pended for the acquisition of automated data processing
15 equipment and services for Department of Veterans Af-
16 fairs regional offices to support Stage III of the automated
17 data equipment modernization program of the Veterans
18 Benefits Administration.

19 NATIONAL CEMETERY SYSTEM

20 For necessary expenses for the maintenance and op-
21 eration of the National Cemetery System not otherwise
22 provided for, including uniforms or allowances therefor, as
23 authorized by law; cemeterial expenses as authorized by
24 law; purchase of three passenger motor vehicles, for use
25 in cemeterial operations; and hire of passenger motor vehi-
26 cles, \$72,604,000.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, as amended, \$30,900,000.

5 CONSTRUCTION, MAJOR PROJECTS

6 (INCLUDING TRANSFER OF FUNDS)

7 For constructing, altering, extending and improving
8 any of the facilities under the jurisdiction or for the use
9 of the Department of Veterans Affairs, or for any of the
10 purposes set forth in sections 316, 2404, 2406, 8102,
11 8103, 8106, 8108, 8109, 8110, and 8122 of title 38,
12 United States Code, including planning, architectural and
13 engineering services, maintenance or guarantee period
14 services costs associated with equipment guarantees pro-
15 vided under the project, services of claims analysts, offsite
16 utility and storm drainage system construction costs, and
17 site acquisition, where the estimated cost of a project is
18 \$3,000,000 or more or where funds for a project were
19 made available in a previous major project appropriation,
20 \$136,155,000, to remain available until expended: *Pro-*
21 *vided*, That except for advance planning of projects funded
22 through the advance planning fund and the design of
23 projects funded through the design fund, none of these
24 funds shall be used for any project which has not been
25 considered and approved by the Congress in the budgetary
26 process: *Provided further*, That funds provided in this ap-

1 appropriation for fiscal year 1996, for each approved project
2 shall be obligated (1) by the awarding of a construction
3 documents contract by September 30, 1996, and (2) by
4 the awarding of a construction contract by September 30,
5 1997: *Provided further*, That the Secretary shall promptly
6 report in writing to the Comptroller General and to the
7 Committees on Appropriations any approved major con-
8 struction project in which obligations are not incurred
9 within the time limitations established above; and the
10 Comptroller General shall review the report in accordance
11 with the procedures established by section 1015 of the Im-
12 poundment Control Act of 1974 (title X of Public Law
13 93-344): *Provided further*, That no funds from any other
14 account except the "Parking revolving fund", may be obli-
15 gated for constructing, altering, extending, or improving
16 a project which was approved in the budget process and
17 funded in this account until one year after substantial
18 completion and beneficial occupancy by the Department
19 of Veterans Affairs of the project or any part thereof with
20 respect to that part only: *Provided further*, That of the
21 funds made available under this heading in Public Law
22 103-327, \$7,000,000 shall be transferred to the "Parking
23 revolving fund".

24 CONSTRUCTION, MINOR PROJECTS

25 For constructing, altering, extending, and improving
26 any of the facilities under the jurisdiction or for the use

1 of the Department of Veterans Affairs, including plan-
2 ning, architectural and engineering services, maintenance
3 or guarantee period services costs associated with equip-
4 ment guarantees provided under the project, services of
5 claims analysts, offsite utility and storm drainage system
6 construction costs, and site acquisition, or for any of the
7 purposes set forth in sections 316, 2404, 2406, 8102,
8 8103, 8106, 8108, 8109, 8110, and 8122 of title 38,
9 United States Code, where the estimated cost of a project
10 is less than \$3,000,000, \$190,000,000, to remain avail-
11 able until expended, along with unobligated balances of
12 previous “Construction, minor projects” appropriations
13 which are hereby made available for any project where the
14 estimated cost is less than \$3,000,000: *Provided*, That
15 funds in this account shall be available for (1) repairs to
16 any of the nonmedical facilities under the jurisdiction or
17 for the use of the Department of Veterans Affairs which
18 are necessary because of loss or damage caused by any
19 natural disaster or catastrophe, and (2) temporary meas-
20 ures necessary to prevent or to minimize further loss by
21 such causes.

22 PARKING REVOLVING FUND

23 For the parking revolving fund as authorized by law
24 (38 U.S.C. 8109), income from fees collected, to remain
25 available until expended. Resources of this fund shall be
26 available for all expenses authorized by 38 U.S.C. 8109

1 except operations and maintenance costs which will be
2 funded from “Medical care”.

3 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
4 FACILITIES

5 For grants to assist the several States to acquire or
6 construct State nursing home and domiciliary facilities
7 and to remodel, modify or alter existing hospital, nursing
8 home and domiciliary facilities in State homes, for furnish-
9 ing care to veterans as authorized by law (38 U.S.C.
10 8131–8137), \$47,397,000, to remain available until ex-
11 pended.

12 GRANTS FOR THE CONSTRUCTION OF STATE VETERANS
13 CEMETERIES

14 For grants to aid States in establishing, expanding,
15 or improving State veteran cemeteries as authorized by
16 law (38 U.S.C. 2408), \$1,000,000, to remain available
17 until September 30, 1998.

18 ADMINISTRATIVE PROVISIONS
19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 101. Any appropriation for 1996 for “Com-
21 pensation and pensions”, “Readjustment benefits”, and
22 “Veterans insurance and indemnities” may be transferred
23 to any other of the mentioned appropriations.

24 SEC. 102. Appropriations available to the Depart-
25 ment of Veterans Affairs for 1996 for salaries and ex-

1 penses shall be available for services as authorized by 5
2 U.S.C. 3109.

3 SEC. 103. No part of the appropriations in this Act
4 for the Department of Veterans Affairs (except the appro-
5 priations for “Construction, major projects”, “Construc-
6 tion, minor projects”, and the “Parking revolving fund”)
7 shall be available for the purchase of any site for or toward
8 the construction of any new hospital or home.

9 SEC. 104. No part of the foregoing appropriations
10 shall be available for hospitalization or examination of any
11 persons except beneficiaries entitled under the laws be-
12 stowing such benefits to veterans, unless reimbursement
13 of cost is made to the appropriation at such rates as may
14 be fixed by the Secretary of Veterans Affairs.

15 SEC. 105. Appropriations available to the Depart-
16 ment of Veterans Affairs for fiscal year 1996 for “Com-
17 pensation and pensions”, “Readjustment benefits”, and
18 “Veterans insurance and indemnities” shall be available
19 for payment of prior year accrued obligations required to
20 be recorded by law against the corresponding prior year
21 accounts within the last quarter of fiscal year 1995.

22 SEC. 106. Appropriations accounts available to the
23 Department of Veterans Affairs for fiscal year 1996 shall
24 be available to pay prior year obligations of corresponding
25 prior year appropriations accounts resulting from title X

1 of the Competitive Equality Banking Act, Public Law
2 100–86, except that if such obligations are from trust
3 fund accounts they shall be payable from “Compensation
4 and pensions”.

5 SEC. 107. Notwithstanding any other provision of
6 law, the Secretary of Veterans Affairs is authorized to
7 transfer, without compensation or reimbursement, the ju-
8 risdiction and control of a parcel of land consisting of ap-
9 proximately 6.3 acres, located on the south edge of the
10 Department of Veterans Affairs Medical and Regional Of-
11 fice Center, Wichita, Kansas, including buildings Nos. 8
12 and 30 and other improvements thereon, to the Secretary
13 of Transportation for the purpose of expanding and mod-
14 ernizing United States Highway 54: *Provided*, That if nec-
15 essary, the exact acreage and legal description of the real
16 property transferred shall be determined by a survey satis-
17 factory to the Secretary of Veterans Affairs and the Sec-
18 retary of Transportation shall bear the cost of such sur-
19 vey: *Provided further*, That the Secretary of Transpor-
20 tation shall be responsible for all costs associated with the
21 transferred land and improvements thereon, and compli-
22 ance with all existing statutes and regulations: *Provided*
23 *further*, That the Secretary of Veterans Affairs and the
24 Secretary of Transportation may require such additional

1 terms and conditions as each Secretary considers appro-
2 priate to effectuate this transfer of land.

3 TITLE II

4 DEPARTMENT OF HOUSING AND URBAN

5 DEVELOPMENT

6 HOUSING PROGRAMS

7 ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

8 For assistance under the United States Housing Act
9 of 1937, as amended (“the Act” herein) (42 U.S.C. 1437),
10 not otherwise provided for, \$10,155,795,000, to remain
11 available until expended: *Provided*, That of the total
12 amount provided under this head, \$160,000,000 shall be
13 for the development or acquisition cost of public housing
14 for Indian families, including amounts for housing under
15 the mutual help homeownership opportunity program
16 under section 202 of the Act (42 U.S.C. 1437bb): *Pro-*
17 *vided further*, That of the total amount provided under
18 this head, \$2,500,000,000 shall be for modernization of
19 existing public housing projects pursuant to section 14 of
20 the Act (42 U.S.C. 1437l), including up to \$20,000,000
21 for the inspection of public housing units, contract exper-
22 tise, and training and technical assistance, directly or indi-
23 rectly, under grants, contracts, or cooperative agreements,
24 to assist in the oversight and management of public and
25 Indian housing (whether or not the housing is being mod-

1 ernized with assistance under this proviso) or tenant-based
2 assistance, including, but not limited to, an annual resi-
3 dent survey, data collection and analysis, training and
4 technical assistance by or to officials and employees of the
5 Department and of public housing agencies and to resi-
6 dents in connection with the public and Indian housing
7 program: *Provided further*, That of the total amount pro-
8 vided under this head, \$400,000,000 shall be for rental
9 subsidy contracts under the section 8 existing housing cer-
10 tificate program and the housing voucher program under
11 section 8 of the Act, except that such amounts shall be
12 used only for units necessary to provide housing assistance
13 for residents to be relocated from existing federally sub-
14 sidized or assisted housing, for replacement housing for
15 units demolished or disposed of (including units to be dis-
16 posed of pursuant to a homeownership program under sec-
17 tion 5(h) or title III of the United States Housing Act
18 of 1937) from the public housing inventory, for funds re-
19 lated to litigation settlements, for the conversion of section
20 23 projects to assistance under section 8, for public hous-
21 ing agencies to implement allocation plans approved by the
22 Secretary for designated housing, for funds to carry out
23 the family unification program, and for the relocation of
24 witnesses in connection with efforts to combat crime in
25 public and assisted housing pursuant to a request from

1 a law enforcement or prosecution agency: *Provided further,*
2 That of the total amount provided under this head,
3 \$4,350,862,000 shall be for assistance under the United
4 States Housing Act of 1937 (42 U.S.C. 1437) for use in
5 connection with expiring or terminating section 8 subsidy
6 contracts, such amounts shall be merged with all remain-
7 ing obligated and unobligated balances heretofore appro-
8 priated under the heading “Renewal of expiring section
9 8 subsidy contracts”: *Provided further,* That notwithstand-
10 ing any other provision of law, assistance reserved under
11 the two preceding provisos may be used in connection with
12 any provision of Federal law enacted in this Act or after
13 the enactment of this Act that authorizes the use of rental
14 assistance amounts in connection with such terminated or
15 expired contracts: *Provided further,* That the Secretary
16 may determine not to apply section 8(o)(6)(B) of the Act
17 to housing vouchers during fiscal year 1996: *Provided fur-*
18 *ther,* That of the total amount provided under this head,
19 \$610,575,000 shall be for amendments to section 8 con-
20 tracts other than contracts for projects developed under
21 section 202 of the Housing Act of 1959, as amended; and
22 \$261,000,000 shall be for section 8 assistance and reha-
23 bilitation grants for property disposition: *Provided further,*
24 That 50 per centum of the amounts of budget authority,
25 or in lieu thereof 50 per centum of the cash amounts asso-

1 ciated with such budget authority, that are recaptured
2 from projects described in section 1012(a) of the Stewart
3 B. McKinney Homeless Assistance Amendments Act of
4 1988 (Public Law 100–628, 102 Stat. 3224, 3268) shall
5 be rescinded, or in the case of cash, shall be remitted to
6 the Treasury, and such amounts of budget authority or
7 cash recaptured and not rescinded or remitted to the
8 Treasury shall be used by State housing finance agencies
9 or local governments or local housing agencies with
10 projects approved by the Secretary of Housing and Urban
11 Development for which settlement occurred after January
12 1, 1992, in accordance with such section: *Provided further*,
13 That of the total amount provided under this head,
14 \$171,000,000 shall be for housing opportunities for per-
15 sons with AIDS under title VIII, subtitle D of the Cran-
16 ston-Gonzalez National Affordable Housing Act; and
17 \$65,000,000 shall be for the lead-based paint hazard re-
18 duction program as authorized under sections 1011 and
19 1053 of the Residential Lead-Based Hazard Reduction
20 Act of 1992: *Provided further*, That the Secretary may
21 make up to \$5,000,000 of any amount recaptured in this
22 account available for the development of performance and
23 financial systems.

24 Of the total amount provided under this head,
25 \$624,000,000, plus amounts recaptured from interest re-

1 duction payment contracts for section 236 projects whose
2 owners prepay their mortgages during fiscal year 1996
3 (which amounts shall be transferred and merged with this
4 account), shall be for use in conjunction with properties
5 that are eligible for assistance under the Low Income
6 Housing Preservation and Resident Homeownership Act
7 of 1990 (LIHPRHA) or the Emergency Low-Income
8 Housing Preservation Act of 1987 (ELIHPA): *Provided*,
9 That prior to July 1, 1996, funding to carry out plans
10 of action shall be limited to sales of projects to non-profit
11 organizations, tenant-sponsored organizations, and other
12 priority purchasers: *Provided further*, That of the amount
13 made available by this paragraph, up to \$10,000,000 shall
14 be available for preservation technical assistance grants
15 pursuant to section 253 of the Housing and Community
16 Development Act of 1987, as amended: *Provided further*,
17 That with respect to amounts made available by this para-
18 graph, after July 1, 1996, if the Secretary determines that
19 the demand for funding may exceed amounts available for
20 such funding, the Secretary (1) may determine priorities
21 for distributing available funds, including giving priority
22 funding to tenants displaced due to mortgage prepayment
23 and to projects that have not yet been funded but which
24 have approved plans of action; and (2) may impose a tem-
25 porary moratorium on applications by potential recipients

1 of such funding: *Provided further*, That an owner of eligi-
2 ble low-income housing may prepay the mortgage or re-
3 quest voluntary terminaton of a mortgage insurance con-
4 tract, so long as said owner agrees not to raise rents for
5 sixty days after such prepayment: *Provided further*, That
6 an owner of eligible low-income housing who has not time-
7 ly filed a second notice under section 216(d) prior to the
8 effective date of this Act may file such notice by March
9 1, 1996: *Provided further*, That such developments have
10 been determined to have preservation equity at least equal
11 to the lesser of \$5,000 per unit or \$500,000 per project
12 or the equivalent of eight times the most recently pub-
13 lished fair market rent for the area in which the project
14 is located as the appropriate unit size for all of the units
15 in the eligible project: *Provided further*, That the Secretary
16 may modify the regulatory agreement to permit owners
17 and priority purchasers to retain rental income in excess
18 of the basic rental charge in projects assisted under sec-
19 tion 236 of the National Housing Act, for the purpose of
20 preserving the low and moderate income character of the
21 housing: *Provided further*, That the Secretary may give
22 priority to funding and processing the following projects
23 provided that the funding is obligated not later than Au-
24 gust 1, 1996: (1) projects with approved plans of action
25 to retain the housing that file a modified plan of action

1 no later than July 1, 1996 to transfer the housing; (2)
2 projects with approved plans of action that are subject to
3 a repayment or settlement agreement that was executed
4 between the owner and the Secretary prior to September
5 1, 1995; (3) projects for which submissions were delayed
6 as a result of their location in areas that were designated
7 as a Federal disaster area in a Presidential Disaster Dec-
8 laration; and (4) projects whose processing was, in fact
9 or in practical effect, suspended, deferred, or interrupted
10 for a period of twelve months or more because of differing
11 interpretations, by the Secretary and an owner or by the
12 Secretary and a State or local rent regulatory agency, con-
13 cerning the timing of filing eligibility or the effect of a
14 presumptively applicable State or local rent control law or
15 regulation on the determination of preservation value
16 under section 213 of LIHPRHA, as amended, if the owner
17 of such project filed notice of intent to extend the low-
18 income affordability restrictions of the housing, or trans-
19 fer to a qualified purchaser who would extend such restric-
20 tions, on or before November 1, 1993: *Provided further,*
21 That eligible low-income housing shall include properties
22 meeting the requirements of this paragraph with mort-
23 gages that are held by a State agency as a result of a
24 sale by the Secretary without insurance, which imme-
25 diately before the sale would have been eligible low-income

1 housing under LIHPRHA: *Provided further*, That not-
2 withstanding any other provision of law, subject to the
3 availability of appropriated funds, each unassisted low-in-
4 come family residing in the housing on the date of prepay-
5 ment or voluntary termination, and whose rent, as a result
6 of a rent increase occurring no later than one year after
7 the date of the prepayment, exceeds 30 percent of adjusted
8 income, shall be offered tenant-based assistance in accord-
9 ance with section 8 or any successor program, under which
10 the family shall pay no less for rent than it paid on such
11 date: *Provided further*, That any family receiving tenant-
12 based assistance under the preceding proviso may elect (1)
13 to remain in the unit of the housing and if the rent exceeds
14 the fair market rent or payment standard, as applicable,
15 the rent shall be deemed to be the applicable standard,
16 so long as the administering public housing agency finds
17 that the rent is reasonable in comparison with rents
18 charged for comparable unassisted housing units in the
19 market or (2) to move from the housing and the rent will
20 be subject to the fair market rent of the payment stand-
21 ard, as applicable, under existing program rules and pro-
22 cedures: *Provided further*, That up to \$10,000,000 of the
23 amount made available by this paragraph may be used at
24 the discretion of the Secretary to reimburse owners of eli-
25 gible properties for which plans of action were submitted

1 prior to the effective date of this Act, but were not exe-
2 cuted for lack of available funds, with such reimbursement
3 available only for documented costs directly applicable to
4 the preparation of the plan of action as determined by the
5 Secretary, and shall be made available on terms and condi-
6 tions to be established by the Secretary: *Provided further,*
7 That, notwithstanding any other provision of law, effective
8 October 1, 1996, the Secretary shall suspend further proc-
9 essing of preservation applications which do not have ap-
10 proved plans of action.

11 Of the total amount provided under this head,
12 \$780,190,000 shall be for capital advances, including
13 amendments to capital advance contracts, for housing for
14 the elderly, as authorized by section 202 of the Housing
15 Act of 1959, as amended, and for project rental assist-
16 ance, and amendments to contracts for project rental as-
17 sistance, for supportive housing for the elderly under sec-
18 tion 202(c)(2) of the Housing Act of 1959; and
19 \$233,168,000 shall be for capital advances, including
20 amendments to capital advance contracts, for supportive
21 housing for persons with disabilities, as authorized by sec-
22 tion 811 of the Cranston-Gonzalez National Affordable
23 Housing Act; and for project rental assistance, and
24 amendments to contracts for project rental assistance, for
25 supportive housing for persons with disabilities as author-

1 ized by section 811 of the Cranston-Gonzalez National Af-
2 fordable Housing Act: *Provided*, That the Secretary may
3 designate up to 25 percent of the amounts earmarked
4 under this paragraph for section 811 of the Cranston-Gon-
5 zalez National Affordable Housing Act for tenant-based
6 assistance, as authorized under that section, which assist-
7 ance is five-years in duration: *Provided further*, That the
8 Secretary may waive any provision of section 202 of the
9 Housing Act of 1959 and section 811 of the National Af-
10 fordable Housing Act (including the provisions governing
11 the terms and conditions of project rental assistance) that
12 the Secretary determines is not necessary to achieve the
13 objectives of these programs, or that otherwise impedes
14 the ability to develop, operate or administer projects as-
15 sisted under these programs, and may make provision for
16 alternative conditions or terms where appropriate.

17 PUBLIC HOUSING DEMOLITION, SITE REVITALIZATION,
18 AND REPLACEMENT HOUSING GRANTS

19 For grants to public housing agencies for the pur-
20 poses of enabling the demolition of obsolete public housing
21 projects or portions thereof, the revitalization (where ap-
22 propriate) of sites (including remaining public housing
23 units) on which such projects are located, replacement
24 housing which will avoid or lessen concentrations of very
25 low-income families, and tenant-based assistance in ac-
26 cordance with section 8 of the United States Housing Act

1 of 1937 for the purpose of providing replacement housing
2 and assisting tenants to be displaced by the demolition,
3 \$280,000,000, to remain available until expended: *Pro-*
4 *vided*, That the Secretary of Housing and Urban Develop-
5 ment shall award such funds to public housing agencies
6 by a competition which includes among other relevant cri-
7 teria the local and national impact of the proposed demoli-
8 tion and revitalization activities and the extent to which
9 the public housing agency could undertake such activities
10 without the additional assistance to be provided here-
11 under: *Provided further*, That eligible expenditures here-
12 under shall be those expenditures eligible under section 8
13 and section 14 of the United States Housing Act of 1937
14 (42 U.S.C. 1437f and l): *Provided further*, That the Sec-
15 retary may impose such conditions and requirements as
16 the Secretary deems appropriate to effectuate the pur-
17 poses of this paragraph: *Provided further*, That the Sec-
18 retary may require an agency selected to receive funding
19 to make arrangements satisfactory to the Secretary for
20 use of an entity other than the agency to carry out this
21 program where the Secretary determines that such action
22 will help to effectuate the purpose of this paragraph: *Pro-*
23 *vided further*, That in the event an agency selected to re-
24 ceive funding does not proceed expeditiously as determined
25 by the Secretary, the Secretary shall withdraw any fund-

1 ing made available pursuant to this paragraph that has
2 not been obligated by the agency and distribute such funds
3 to one or more other eligible agencies, or to other entities
4 capable of proceeding expeditiously in the same locality
5 with the original program: *Provided further*, That of the
6 foregoing \$280,000,000, the Secretary may use up to .67
7 per centum for technical assistance, to be provided directly
8 or indirectly by grants, contracts or cooperative agree-
9 ments, including training and cost of necessary travel for
10 participants in such training, by or to officials and employ-
11 ees of the Department and of public housing agencies and
12 to residents: *Provided further*, That any replacement hous-
13 ing provided with assistance under this head shall be sub-
14 ject to section 18(f) of the United States Housing Act of
15 1937, as amended by section 201(b)(2) of this Act.

16 FLEXIBLE SUBSIDY FUND

17 (INCLUDING TRANSFER OF FUNDS)

18 From the fund established by section 236(g) of the
19 National Housing Act, as amended, all uncommitted bal-
20 ances of excess rental charges as of September 30, 1995,
21 and any collections during fiscal year 1996 shall be trans-
22 ferred, as authorized under such section, to the fund au-
23 thorized under section 201(j) of the Housing and Commu-
24 nity Development Amendments of 1978, as amended.

1 RENTAL HOUSING ASSISTANCE
2 (RESCISSION)

3 The limitation otherwise applicable to the maximum
4 payments that may be required in any fiscal year by all
5 contracts entered into under section 236 of the National
6 Housing Act (12 U.S.C. 1715z-1) is reduced in fiscal year
7 1996 by not more than \$2,000,000 in uncommitted bal-
8 ances of authorizations provided for this purpose in appro-
9 priations Acts: *Provided*, That up to \$163,000,000 of re-
10 captured section 236 budget authority resulting from the
11 prepayment of mortgages subsidized under section 236 of
12 the National Housing Act (12 U.S.C. 1715z-1) shall be
13 rescinded in fiscal year 1996.

14 PAYMENTS FOR OPERATION OF LOW-INCOME HOUSING
15 PROJECTS

16 For payments to public housing agencies and Indian
17 housing authorities for operating subsidies for low-income
18 housing projects as authorized by section 9 of the United
19 States Housing Act of 1937, as amended (42 U.S.C.
20 1437g), \$2,800,000,000.

21 DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING

22 For grants to public and Indian housing agencies for
23 use in eliminating crime in public housing projects author-
24 ized by 42 U.S.C. 11901-11908, for grants for federally
25 assisted low-income housing authorized by 42 U.S.C.
26 11909, and for drug information clearinghouse services

1 authorized by 42 U.S.C. 11921–11925, \$290,000,000, to
2 remain available until expended, of which \$10,000,000
3 shall be for grants, technical assistance, contracts and
4 other assistance training, program assessment, and execu-
5 tion for or on behalf of public housing agencies and resi-
6 dent organizations (including the cost of necessary travel
7 for participants in such training) and of which \$2,500,000
8 shall be used in connection with efforts to combat violent
9 crime in public and assisted housing under the Operation
10 Safe Home program administered by the Inspector Gen-
11 eral of the Department of Housing and Urban Develop-
12 ment: *Provided*, That the term “drug-related crime”, as
13 defined in 42 U.S.C. 11905(2), shall also include other
14 types of crime as determined by the Secretary.

15 HOME INVESTMENT PARTNERSHIPS PROGRAM

16 For the HOME investment partnerships program, as
17 authorized under title II of the Cranston-Gonzalez Na-
18 tional Affordable Housing Act (Public Law 101–625), as
19 amended, \$1,400,000,000, to remain available until ex-
20 pended.

21 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

22 ACCOUNT

23 For the cost of guaranteed loans, \$3,000,000, as au-
24 thorized by section 184 of the Housing and Community
25 Development Act of 1992 (106 Stat. 3739): *Provided*,
26 That such costs, including the costs of modifying such

1 loans, shall be as defined in section 502 of the Congres-
 2 sional Budget Act of 1974, as amended: *Provided further*,
 3 That these funds are available to subsidize total loan prin-
 4 cipal, any part of which is to be guaranteed, not to exceed
 5 \$36,900,000.

6 HOMELESS ASSISTANCE

7 HOMELESS ASSISTANCE GRANTS

8 For the emergency shelter grants program (as au-
 9 thorized under subtitle B of title IV of the Stewart B.
 10 McKinney Homeless Assistance Act (Public Law 100–77),
 11 as amended); the supportive housing program (as author-
 12 ized under subtitle C of title IV of such Act); the section
 13 8 moderate rehabilitation single room occupancy program
 14 (as authorized under the United States Housing Act of
 15 1937, as amended) to assist homeless individuals pursuant
 16 to section 441 of the Stewart B. McKinney Homeless As-
 17 sistance Act; and the shelter plus care program (as au-
 18 thorized under subtitle F of title IV of such Act),
 19 \$823,000,000, to remain available until expended.

20 COMMUNITY PLANNING AND DEVELOPMENT

21 COMMUNITY DEVELOPMENT GRANTS

22 (INCLUDING TRANSFER OF FUNDS)

23 For grants to States and units of general local gov-
 24 ernment and for related expenses, not otherwise provided
 25 for, necessary for carrying out a community development
 26 grants program as authorized by title I of the Housing

1 and Community Development Act of 1974, as amended
2 (42 U.S.C. 5301), \$4,600,000,000, to remain available
3 until September 30, 1998: *Provided*, That \$50,000,000
4 shall be available for grants to Indian tribes pursuant to
5 section 106(a)(1) of the Housing and Community Devel-
6 opment Act of 1974, as amended (42 U.S.C. 5301),
7 \$2,000,000 shall be available as a grant to the Housing
8 Assistance Council, \$1,000,000 shall be available as a
9 grant to the National American Indian Housing Council,
10 and \$27,000,000 shall be available for “special purpose
11 grants” pursuant to section 107 of such Act: *Provided fur-*
12 *ther*, That not to exceed 20 per centum of any grant made
13 with funds appropriated herein (other than a grant made
14 available under the preceding proviso to the Housing As-
15 sistance Council or the National American Indian Housing
16 Council, or a grant using funds under section 107(b)(3)
17 of the Housing and Community Development Act of 1974)
18 shall be expended for “Planning and Management Devel-
19 opment” and “Administration” as defined in regulations
20 promulgated by the Department of Housing and Urban
21 Development: *Provided further*, That section 105(a)(25) of
22 such Act, as added by section 907(b)(1) of the Cranston-
23 Gonzalez National Affordable Housing Act, shall continue
24 to be effective after September 30, 1995, notwithstanding
25 section 907(b)(2) of such Act: *Provided further*, That sec-

1 tion 916 of the Cranston-Gonzalez National Affordable
2 Housing Act shall apply with respect to fiscal year 1996,
3 notwithstanding section 916(f) of that Act.

4 Of the amount provided under this heading, the Sec-
5 retary of Housing and Urban Development may use up
6 to \$53,000,000 for grants to public housing agencies (in-
7 cluding Indian housing authorities), nonprofit corpora-
8 tions, and other appropriate entities for a supportive serv-
9 ices program to assist residents of public and assisted
10 housing, former residents of such housing receiving ten-
11 ant-based assistance under section 8 of such Act (42
12 U.S.C. 1437f), and other low-income families and individ-
13 uals to become self-sufficient: *Provided*, That the program
14 shall provide supportive services, principally for the benefit
15 of public housing residents, to the elderly and the disabled,
16 and to families with children where the head of the house-
17 hold would benefit from the receipt of supportive services
18 and is working, seeking work, or is preparing for work
19 by participating in job training or educational programs:
20 *Provided further*, That the supportive services shall include
21 congregate services for the elderly and disabled, service co-
22 ordinators, and coordinated educational, training, and
23 other supportive services, including academic skills train-
24 ing, job search assistance, assistance related to retaining
25 employment, vocational and entrepreneurship development

1 and support programs, transportation, and child care:
2 *Provided further*, That the Secretary shall require appli-
3 cants to demonstrate firm commitments of funding or
4 services from other sources: *Provided further*, That the
5 Secretary shall select public and Indian housing agencies
6 to receive assistance under this head on a competitive
7 basis, taking into account the quality of the proposed pro-
8 gram (including any innovative approaches), the extent of
9 the proposed coordination of supportive services, the ex-
10 tent of commitments of funding or services from other
11 sources, the extent to which the proposed program in-
12 cludes reasonably achievable, quantifiable goals for meas-
13 uring performance under the program over a three-year
14 period, the extent of success an agency has had in carrying
15 out other comparable initiatives, and other appropriate
16 criteria established by the Secretary.

17 Of the amount made available under this heading,
18 notwithstanding any other provision of law, \$12,000,000
19 shall be available for contracts, grants, and other assist-
20 ance, other than loans, not otherwise provided for, for pro-
21 viding counseling and advice to tenants and homeowners
22 both current and prospective, with respect to property
23 maintenance, financial management, and such other mat-
24 ters as may be appropriate to assist them in improving
25 their housing conditions and meeting the responsibilities

1 of tenancy or homeownership, including provisions for
2 training and for support of voluntary agencies and services
3 as authorized by section 106 of the Housing and Urban
4 Development Act of 1968, as amended, notwithstanding
5 section 106(c)(9) and section 106(d)(13) of such Act.

6 Of the amount made available under this heading,
7 notwithstanding any other provision of law, \$15,000,000
8 shall be available for the tenant opportunity program.

9 Of the amount made available under this heading,
10 notwithstanding any other provision of law, \$20,000,000
11 shall be available for youthbuild program activities author-
12 ized by subtitle D of title IV of the Cranston-Gonzalez
13 National Affordable Housing Act, as amended, and such
14 activities shall be an eligible activity with respect to any
15 funds made available under this heading.

16 For the cost of guaranteed loans, \$31,750,000, as au-
17 thorized by section 108 of the Housing and Community
18 Development Act of 1974: *Provided*, That such costs, in-
19 cluding the cost of modifying such loans, shall be as de-
20 fined in section 502 of the Congressional Budget Act of
21 1974, as amended: *Provided further*, That these funds are
22 available to subsidize total loan principal, any part of
23 which is to be guaranteed, not to exceed \$1,500,000,000:
24 *Provided further*, That the Secretary of Housing and
25 Urban Development may make guarantees not to exceed

1 the immediately foregoing amount notwithstanding the ag-
2 gregate limitation on guarantees set forth in section
3 108(k) of the Housing and Community Development Act
4 of 1974. In addition, for administrative expenses to carry
5 out the guaranteed loan program, \$675,000 which shall
6 be transferred to and merged with the appropriation for
7 departmental salaries and expenses.

8 The amount made available for fiscal year 1995 for
9 a special purpose grant for the renovation of the central
10 terminal in Buffalo, New York, shall be made available
11 for the central terminal and for other public facilities in
12 Buffalo, New York.

13 POLICY DEVELOPMENT AND RESEARCH

14 RESEARCH AND TECHNOLOGY

15 For contracts, grants, and necessary expenses of pro-
16 grams of research and studies relating to housing and
17 urban problems, not otherwise provided for, as authorized
18 by title V of the Housing and Urban Development Act
19 of 1970, as amended (12 U.S.C. 1701z-1 et seq.), includ-
20 ing carrying out the functions of the Secretary under sec-
21 tion 1(a)(1)(i) of Reorganization Plan No. 2 of 1968,
22 \$34,000,000, to remain available until September 30,
23 1997.

1 FAIR HOUSING AND EQUAL OPPORTUNITY

2 FAIR HOUSING ACTIVITIES

3 For contracts, grants, and other assistance, not oth-
4 erwise provided for, as authorized by title VIII of the Civil
5 Rights Act of 1968, as amended by the Fair Housing
6 Amendments Act of 1988, and for contracts with qualified
7 fair housing enforcement organizations, as authorized by
8 section 561 of the Housing and Community Development
9 Act of 1987, as amended by the Housing and Community
10 Development Act of 1992, \$30,000,000, to remain avail-
11 able until September 30, 1997.

12 MANAGEMENT AND ADMINISTRATION

13 SALARIES AND EXPENSES

14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary administrative and nonadministrative
16 expenses of the Department of Housing and Urban Devel-
17 opment, not otherwise provided for, including not to ex-
18 ceed \$7,000 for official reception and representation ex-
19 penses, \$962,558,000, of which \$532,782,000 shall be
20 provided from the various funds of the Federal Housing
21 Administration, and \$9,101,000 shall be provided from
22 funds of the Government National Mortgage Association,
23 and \$675,000 shall be provided from the Community De-
24 velopment Grants Program account.

1 OFFICE OF INSPECTOR GENERAL
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses of the Office of Inspector
4 General in carrying out the provisions of the Inspector
5 General Act of 1978, as amended, \$47,850,000, of which
6 \$11,283,000 shall be transferred from the various funds
7 of the Federal Housing Administration.

8 OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT
9 SALARIES AND EXPENSES
10 (INCLUDING TRANSFER OF FUNDS)

11 For carrying out the Federal Housing Enterprise Fi-
12 nancial Safety and Soundness Act of 1992, \$14,895,000,
13 to remain available until expended, from the Federal
14 Housing Enterprise Oversight Fund: *Provided*, That such
15 amounts shall be collected by the Director as authorized
16 by section 1316 (a) and (b) of such Act, and deposited
17 in the Fund under section 1316(f) of such Act.

18 FEDERAL HOUSING ADMINISTRATION
19 FHA—MUTUAL MORTGAGE INSURANCE PROGRAM
20 ACCOUNT
21 (INCLUDING TRANSFERS OF FUNDS)

22 During fiscal year 1996, commitments to guarantee
23 loans to carry out the purposes of section 203(b) of the
24 National Housing Act, as amended, shall not exceed a loan
25 principal of \$110,000,000,000: *Provided*, That during fis-
26 cal year 1996, the Secretary shall sell assigned mortgage

1 notes having an unpaid principal balance of up to
2 \$4,000,000,000, which notes were originally insured under
3 section 203(b) of the National Housing Act: *Provided fur-*
4 *ther*, That the Secretary may use any negative subsidy
5 amounts from the sale of such assigned mortgage notes
6 during fiscal year 1996 for the disposition of properties
7 or notes under this heading.

8 During fiscal year 1996, obligations to make direct
9 loans to carry out the purposes of section 204(g) of the
10 National Housing Act, as amended, shall not exceed
11 \$200,000,000: *Provided*, That the foregoing amount shall
12 be for loans to nonprofit and governmental entities in con-
13 nection with sales of single family real properties owned
14 by the Secretary and formerly insured under section 203
15 of such Act.

16 For administrative expenses necessary to carry out
17 the guaranteed and direct loan program, \$341,595,000,
18 to be derived from the FHA-mutual mortgage insurance
19 guaranteed loans receipt account, of which not to exceed
20 \$334,483,000 shall be transferred to the appropriation for
21 departmental salaries and expenses; and of which not to
22 exceed \$7,112,000 shall be transferred to the appropria-
23 tion for the Office of Inspector General.

1 prior appropriation Act for the cost (as such term is de-
2 fined in section 502 of the Congressional Budget Act of
3 1974) of guaranteed loans that are obligations of the
4 funds established under section 238 or 519 of the National
5 Housing Act that have not been obligated or that are
6 deobligated shall be available to the Secretary of Housing
7 and Urban Development in connection with the making
8 of such guarantees and shall remain available until ex-
9 pended, notwithstanding the expiration of any period of
10 availability otherwise applicable to such amounts.

11 Gross obligations for the principal amount of direct
12 loans, as authorized by sections 204(g), 207(l), 238(a),
13 and 519(a) of the National Housing Act, shall not exceed
14 \$120,000,000; of which not to exceed \$100,000,000 shall
15 be for bridge financing in connection with the sale of mul-
16 tifamily real properties owned by the Secretary and for-
17 merly insured under such Act; and of which not to exceed
18 \$20,000,000 shall be for loans to nonprofit and govern-
19 mental entities in connection with the sale of single-family
20 real properties owned by the Secretary and formerly in-
21 sured under such Act.

22 In addition, for administrative expenses necessary to
23 carry out the guaranteed and direct loan programs,
24 \$202,470,000, of which \$198,299,000 shall be transferred
25 to the appropriation for departmental salaries and ex-

1 penses; and of which \$4,171,000 shall be transferred to
 2 the appropriation for the Office of Inspector General.

3 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
 4 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
 5 GUARANTEE PROGRAM ACCOUNT
 6 (INCLUDES TRANSFER OF FUNDS)

7 During fiscal year 1996, new commitments to issue
 8 guarantees to carry out the purposes of section 306 of the
 9 National Housing Act, as amended (12 U.S.C. 1721(g)),
 10 shall not exceed \$110,000,000,000.

11 For administrative expenses necessary to carry out
 12 the guaranteed mortgage-backed securities program,
 13 \$9,101,000, to be derived from the GNMA—guarantees
 14 of mortgage-backed securities guaranteed loan receipt ac-
 15 count, of which not to exceed \$9,101,000 shall be trans-
 16 ferred to the appropriation for departmental salaries and
 17 expenses.

18 ADMINISTRATIVE PROVISIONS
 19 (INCLUDING TRANSFER OF FUNDS)

20 EXTEND ADMINISTRATIVE PROVISIONS FROM THE
 21 RESCISSION ACT

22 SEC. 201. (a) PUBLIC AND INDIAN HOUSING MOD-
 23 ERNIZATION.—

24 (1) EXPANSION OF USE OF MODERNIZATION
 25 FUNDING.—Subsection 14(q) of the United States
 26 Housing Act of 1937 is amended to read as follows:

1 “(q)(1) In addition to the purposes enumerated in
2 subsections (a) and (b), a public housing agency may use
3 modernization assistance provided under section 14, and
4 development assistance provided under section 5(a) that
5 was not allocated, as determined by the Secretary, for pri-
6 ority replacement housing, for any eligible activity author-
7 ized by this section, by section 5, or by applicable Appro-
8 priations Acts for a public housing agency, including the
9 demolition, rehabilitation, revitalization, and replacement
10 of existing units and projects and, for up to 10 percent
11 of its allocation of such funds in any fiscal year, for any
12 operating subsidy purpose authorized in section 9. Except
13 for assistance used for operating subsidy purposes under
14 the preceding sentence, assistance provided to a public
15 housing agency under this section shall principally be used
16 for the physical improvement or replacement of public
17 housing and for associated management improvements,
18 except as otherwise approved by the Secretary. Public
19 housing units assisted under this paragraph shall be eligi-
20 ble for operating subsidies, unless the Secretary deter-
21 mines that such units or projects have not received suffi-
22 cient assistance under this Act or do not meet other re-
23 quirements of this Act.

24 “(2) A public housing agency may provide assistance
25 to developments that include units for other than very low-

1 income families ('mixed income developments'), in the
2 form of a grant, loan, operating assistance, or other form
3 of investment which may be made to—

4 “(A) a partnership, a limited liability company,
5 or other legal entity in which the public housing
6 agency or its affiliate is a general partner, managing
7 member, or otherwise participates in the activities of
8 such entity; or

9 “(B) any entity which grants to the public
10 housing agency the option to purchase the develop-
11 ment within 20 years after initial occupancy in ac-
12 cordance with section 42(i)(7) of the Internal Reve-
13 nue Code of 1986, as amended. Units shall be made
14 available in such developments for periods of not less
15 than 20 years, by master contract or by individual
16 lease, for occupancy by low-income families referred
17 from time to time by the public housing agency. The
18 number of such units shall be:

19 “(i) in the same proportion to the total
20 number of units in such development that the
21 total financial commitment provided by the pub-
22 lic housing agency bears to the value of the
23 total financial commitment in the development,
24 or

1 “(ii) not be less than the number of units
2 that could have been developed under the con-
3 ventional public housing program with the as-
4 sistance involved, or

5 “(iii) as may otherwise be approved by the
6 Secretary.

7 “(3) A mixed income development may elect to have
8 all units subject only to the applicable local real estate
9 taxes, notwithstanding that the low-income units assisted
10 by public housing funds would otherwise be subject to sec-
11 tion 6(d) of the Housing Act of 1937.

12 “(4) If an entity that owns or operates a mixed-in-
13 come project under this subsection enters into a contract
14 with a public housing agency, the terms of which obligate
15 the entity to operate and maintain a specified number of
16 units in the project as public housing units in accordance
17 with the requirements of this Act for the period required
18 by law, such contractual terms may provide that, if, as
19 a result of a reduction in appropriations under section 9,
20 or any other change in applicable law, the public housing
21 agency is unable to fulfill its contractual obligations with
22 respect to those public housing units, that entity may devi-
23 ate, under procedures and requirements developed through
24 regulations by the Secretary, from otherwise applicable re-
25 strictions under this Act regarding rents, income eligi-

1 bility, and other areas of public housing management with
2 respect to a portion or all of those public housing units,
3 to the extent necessary to preserve the viability of those
4 units while maintaining the low-income character of the
5 units, to the maximum extent practicable.”.

6 (2) APPLICABILITY.—Section 14(q) of the
7 United States Housing Act of 1937, as amended by
8 subsection (a) of this section, shall be effective only
9 with respect to assistance provided from funds made
10 available for fiscal year 1996 or any preceding fiscal
11 year.

12 (3) APPLICABILITY TO IHAS.—In accordance
13 with section 201(b)(2) of the United States Housing
14 Act of 1937, the amendment made by this sub-
15 section shall apply to public housing developed or
16 operated pursuant to a contract between the Sec-
17 retary of Housing and Urban Development and an
18 Indian housing authority.

19 (b) ONE-FOR-ONE REPLACEMENT OF PUBLIC AND
20 INDIAN HOUSING.—

21 (1) EXTENDED AUTHORITY.—Section 1002(d)
22 of Public Law 104–19 is amended to read as follows:
23 “(d) Subsections (a), (b), and (c) shall be effective
24 for applications for the demolition, disposition, or conver-
25 sion to homeownership of public housing approved by the

1 Secretary, and other consolidation and relocation activities
2 of public housing agencies undertaken, on, before, or after
3 September 30, 1995 and before September 30, 1996.”.

4 (2) Section 18(f) of the United States Housing
5 Act of 1937 is amended by adding at the end the
6 following new sentence:

7 “No one may rely on the preceding sentence as the basis
8 for reconsidering a final order of a court issued, or a set-
9 tlement approved by, a court.”.

10 (3) APPLICABILITY.—In accordance with sec-
11 tion 201(b)(2) of the United States Housing Act of
12 1937, the amendments made by this subsection and
13 by sections 1002 (a), (b), and (c) of Public Law
14 104–19 shall apply to public housing developed or
15 operated pursuant to a contract between the Sec-
16 retary of Housing and Urban Development and an
17 Indian housing authority.

18 CONVERSION OF CERTAIN PUBLIC HOUSING TO
19 VOUCHERS

20 SEC. 202. (a) IDENTIFICATION OF UNITS.—Each
21 public housing agency shall identify any public housing de-
22 velopments—

- 23 (1) that are on the same or contiguous sites;
24 (2) that total more than—
25 (A) 300 dwelling units; or

1 (B) in the case of high-rise family build-
2 ings or substantially vacant buildings; 300
3 dwelling units;

4 (3) that have a vacancy rate of at least 10 per-
5 cent for dwelling units not in funded, on schedule
6 modernization programs;

7 (4) identified as distressed housing that the
8 public housing agency cannot assure the long-term
9 viability as public housing through reasonable re-
10 vitalization, density reduction, or achievement of a
11 broader range of household income; and

12 (5) for which the estimated cost of continued
13 operation and modernization of the developments as
14 public housing exceeds the cost of providing tenant-
15 based assistance under section 8 of the United
16 States Housing Act of 1937 for all families in occu-
17 pancy, based on appropriate indicators of cost (such
18 as the percentage of total development cost required
19 for modernization).

20 (b) IMPLEMENTATION AND ENFORCEMENT.—

21 (1) STANDARDS FOR IMPLEMENTATION.—The
22 Secretary shall establish standards to permit imple-
23 mentation of this section in fiscal year 1996.

24 (2) CONSULTATION.—Each public housing
25 agency shall consult with the applicable public hous-

1 ing tenants and the unit of general local government
2 in identifying any public housing developments
3 under subsection (a).

4 (3) FAILURE OF PHAS TO COMPLY WITH SUB-
5 SECTION (a).—Where the Secretary determines
6 that—

7 (A) a public housing agency has failed
8 under subsection (a) to identify public housing
9 developments for removal from the inventory of
10 the agency in a timely manner;

11 (B) a public housing agency has failed to
12 identify one or more public housing develop-
13 ments which the Secretary determines should
14 have been identified under subsection (a); or

15 (C) one or more of the developments iden-
16 tified by the public housing agency pursuant to
17 subsection (a) should not, in the determination
18 of the Secretary, have been identified under
19 that subsection;

20 the Secretary may designate the developments to be
21 removed from the inventory of the public housing
22 agency pursuant to this section.

23 (c) REMOVAL OF UNITS FROM THE INVENTORIES OF
24 PUBLIC HOUSING AGENCIES.—

1 (1) Each public housing agency shall develop
2 and carry out a plan in conjunction with the Sec-
3 retary for the removal of public housing units identi-
4 fied under subsection (a) or subsection (b)(3), over
5 a period of up to five years, from the inventory of
6 the public housing agency and the annual contribu-
7 tions contract. The plan shall be approved by the
8 relevant local official as not inconsistent with the
9 Comprehensive Housing Affordability Strategy
10 under title I of the Housing and Community Devel-
11 opment Act of 1992, including a description of any
12 disposition and demolition plan for the public hous-
13 ing units.

14 (2) The Secretary may extend the deadline in
15 paragraph (1) for up to an additional five years
16 where the Secretary makes a determination that the
17 deadline is impracticable.

18 (3) The Secretary shall take appropriate actions
19 to ensure removal of developments identified under
20 subsection (a) or subsection (b)(3) from the inven-
21 tory of a public housing agency, if the public hous-
22 ing agency fails to adequately develop a plan under
23 paragraph (1), or fails to adequately implement such
24 plan in accordance with the terms of the plan.

1 (4) To the extent approved in appropriations
2 Acts, the Secretary may establish requirements and
3 provide funding under the Urban Revitalization
4 Demonstration program for demolition and disposi-
5 tion of public housing under this section.

6 (5) Notwithstanding any other provision of law,
7 if a development is removed from the inventory of a
8 public housing agency and the annual contributions
9 contract pursuant to paragraph (1), the Secretary
10 may authorize or direct the transfer of—

11 (A) in the case of an agency receiving as-
12 sistance under the comprehensive improvement
13 assistance program, any amounts obligated by
14 the Secretary for the modernization of such de-
15 velopment pursuant to section 14 of the United
16 States Housing Act of 1937;

17 (B) in the case of an agency receiving pub-
18 lic and Indian housing modernization assistance
19 by formula pursuant to section 14 of the United
20 States Housing Act of 1937, any amounts pro-
21 vided to the agency which are attributable pur-
22 suant to the formula for allocating such assist-
23 ance to the development removed from the in-
24 ventory of that agency; and

1 (C) in the case of an agency receiving as-
2 sistance for the major reconstruction of obsolete
3 projects, any amounts obligated by the Sec-
4 retary for the major reconstruction of the devel-
5 opment pursuant to section 5 of such Act,
6 to the tenant-based assistance program or appro-
7 priate site revitalization of such agency.

8 (6) CESSATION OF UNNECESSARY SPENDING.—
9 Notwithstanding any other provision of law, if, in
10 the determination of the Secretary, a development
11 meets or is likely to meet the criteria set forth in
12 subsection (a), the Secretary may direct the public
13 housing agency to cease additional spending in con-
14 nection with the development, except to the extent
15 that additional spending is necessary to ensure de-
16 cent, safe, and sanitary housing until the Secretary
17 determines or approves an appropriate course of ac-
18 tion with respect to such development under this
19 section.

20 (d) CONVERSION TO TENANT-BASED ASSISTANCE.—

21 (1) The Secretary shall make authority avail-
22 able to a public housing agency to provide tenant-
23 based assistance pursuant to section 8 to families re-
24 siding in any development that is removed from the
25 inventory of the public housing agency and the an-

1 nual contributions contract pursuant to subsection
2 (b).

3 (2) Each conversion plan under subsection (c)
4 shall—

5 (A) require the agency to notify families
6 residing in the development, consistent with any
7 guidelines issued by the Secretary governing
8 such notifications, that the development shall be
9 removed from the inventory of the public hous-
10 ing agency and the families shall receive tenant-
11 based or project-based assistance, and to pro-
12 vide any necessary counseling for families; and

13 (B) ensure that all tenants affected by a
14 determination under this section that a develop-
15 ment shall be removed from the inventory of a
16 public housing agency shall be offered tenant-
17 based or project-based assistance and shall be
18 relocated, as necessary, to other decent, safe,
19 sanitary, and affordable housing which is, to
20 the maximum extent practicable, housing of
21 their choice.

22 (e) IN GENERAL.—

23 (1) The Secretary may require a public housing
24 agency to provide such information as the Secretary

1 considers necessary for the administration of this
2 section.

3 (2) As used in this section, the term “develop-
4 ment” shall refer to a project or projects, or to por-
5 tions of a project or projects, as appropriate.

6 (3) Section 18 of the United States Housing
7 Act of 1937 shall not apply to the demolition of de-
8 velopments removed from the inventory of the public
9 housing agency under this section.

10 STREAMLINING SECTION 8 TENANT-BASED ASSISTANCE

11 SEC. 203. (a) “TAKE-ONE, TAKE-ALL”.—Section
12 8(t) of the United States Housing Act of 1937 is hereby
13 repealed.

14 (b) EXEMPTION FROM NOTICE REQUIREMENTS FOR
15 THE CERTIFICATE AND VOUCHER PROGRAMS.—Section
16 8(c) of such Act is amended—

17 (1) in paragraph (8), by inserting after “sec-
18 tion” the following: “(other than a contract for as-
19 sistance under the certificate or voucher program)”;
20 and

21 (2) in the first sentence of paragraph (9), by
22 striking “(but not less than 90 days in the case of
23 housing certificates or vouchers under subsection (b)
24 or (o))” and inserting “, other than a contract under
25 the certificate or voucher program”.

1 (c) ENDLESS LEASE.—Section 8(d)(1)(B) of such
2 Act is amended—

3 (1) in clause (ii), by inserting “during the term
4 of the lease,” after “(ii)”; and

5 (2) in clause (iii), by striking “provide that”
6 and inserting “during the term of the lease,”.

7 (d) APPLICABILITY.—The provisions of this section
8 shall be effective for fiscal year 1996 only.

9 PUBLIC HOUSING/SECTION 8 MOVING TO WORK

10 DEMONSTRATION

11 SEC. 204. (a) PURPOSE.—The purpose of this dem-
12 onstration is to give public housing agencies and the Sec-
13 retary of Housing and Urban Development the flexibility
14 to design and test various approaches for providing and
15 administering housing assistance that: reduce cost and
16 achieve greater cost effectiveness in Federal expenditures;
17 give incentives to families with children where the head
18 of household is working, seeking work, or is preparing for
19 work by participating in job training, educational pro-
20 grams, or programs that assist people to obtain employ-
21 ment and become economically self-sufficient; and increase
22 housing choices for low-income families.

23 (b) PROGRAM AUTHORITY.—The Secretary of Hous-
24 ing and Urban Development shall conduct a demonstra-
25 tion program under this section beginning in fiscal year
26 1996 under which up to 30 public housing agencies (in-

1 cluding Indian housing authorities) administering the pub-
2 lic or Indian housing program and the section 8 housing
3 assistance payments program, administering a total num-
4 ber of public housing units not in excess of 25,000, may
5 be selected by the Secretary to participate. The Secretary
6 shall provide training and technical assistance during the
7 demonstration and conduct detailed evaluations of up to
8 15 such agencies in an effort to identify replicable pro-
9 gram models promoting the purpose of the demonstration.
10 Under the demonstration, notwithstanding any provision
11 of the United States Housing Act of 1937 except as pro-
12 vided in subsection (e), an agency may combine operating
13 assistance provided under section 9 of the United States
14 Housing Act of 1937, modernization assistance provided
15 under section 14 of such Act, and assistance provided
16 under section 8 of such Act for the certificate and voucher
17 programs, to provide housing assistance for low-income
18 families, as defined in section 3(b)(2) of the United States
19 Housing Act of 1937, and services to facilitate the transi-
20 tion to work on such terms and conditions as the agency
21 may propose and the Secretary may approve.

22 (c) APPLICATION.—An application to participate in
23 the demonstration—

1 (1) shall request authority to combine assist-
2 ance under sections 8, 9, and 14 of the United
3 States Housing Act of 1937;

4 (2) shall be submitted only after the public
5 housing agency provides for citizen participation
6 through a public hearing and, if appropriate, other
7 means;

8 (3) shall include a plan developed by the agency
9 that takes into account comments from the public
10 hearing and any other public comments on the pro-
11 posed program, and comments from current and
12 prospective residents who would be affected, and
13 that includes criteria for—

14 (A) families to be assisted, which shall re-
15 quire that at least 75 percent of the families as-
16 sisted by participating demonstration public
17 housing authorities shall be very low-income
18 families, as defined in section 3(b)(2) of the
19 United States Housing Act of 1937, and at
20 least 50 percent of the families selected shall
21 have incomes that do not exceed 30 percent of
22 the median family income for the area, as de-
23 termined by the Secretary with adjustments for
24 smaller and larger families, except that the Sec-
25 retary may establish income ceilings higher or

1 lower than 30 percent of the median for the
2 area on the basis of the Secretary's findings
3 that such variations are necessary because of
4 unusually high or low family income;

5 (B) establishing a reasonable rent policy,
6 which shall be designed to encourage employ-
7 ment and self-sufficiency by participating fami-
8 lies, consistent with the purpose of this dem-
9 onstration, such as by excluding some or all of
10 a family's earned income for purposes of deter-
11 mining rent;

12 (C) continuing to assist substantially the
13 same total number of eligible low-income fami-
14 lies as would have been served had the amounts
15 not been combined;

16 (D) maintaining a comparable mix of fami-
17 lies (by family size) as would have been pro-
18 vided had the amounts not been used under the
19 demonstration; and

20 (E) assuring that housing assisted under
21 the demonstration program meets housing qual-
22 ity standards established or approved by the
23 Secretary; and

24 (4) may request assistance for training and
25 technical assistance to assist with design of the dem-

1 onstration and to participate in a detailed evalua-
2 tion.

3 (d) SELECTION.—In selecting among applications,
4 the Secretary shall take into account the potential of each
5 agency to plan and carry out a program under the dem-
6 onstration, the relative performance by an agency under
7 the public housing management assessment program
8 under section 6(j) of the United States Housing Act of
9 1937, and other appropriate factors as determined by the
10 Secretary.

11 (e) APPLICABILITY OF 1937 ACT PROVISIONS.—

12 (1) Section 18 of the United States Housing
13 Act of 1937 shall continue to apply to public hous-
14 ing notwithstanding any use of the housing under
15 this demonstration.

16 (2) Section 12 of such Act shall apply to hous-
17 ing assisted under the demonstration, other than
18 housing assisted solely due to occupancy by families
19 receiving tenant-based assistance.

20 (f) EFFECT ON SECTION 8, OPERATING SUBSIDIES,
21 AND COMPREHENSIVE GRANT PROGRAM ALLOCATIONS.—

22 The amount of assistance received under section 8, section
23 9, or pursuant to section 14 by a public housing agency
24 participating in the demonstration under this part shall
25 not be diminished by its participation.

1 (g) RECORDS, REPORTS, AND AUDITS.—

2 (1) KEEPING OF RECORDS.—Each agency shall
3 keep such records as the Secretary may prescribe as
4 reasonably necessary to disclose the amounts and
5 the disposition of amounts under this demonstration,
6 to ensure compliance with the requirements of this
7 section, and to measure performance.

8 (2) REPORTS.—Each agency shall submit to the
9 Secretary a report, or series of reports, in a form
10 and at a time specified by the Secretary. Each re-
11 port shall—

12 (A) document the use of funds made avail-
13 able under this section;

14 (B) provide such data as the Secretary
15 may request to assist the Secretary in assessing
16 the demonstration; and

17 (C) describe and analyze the effect of as-
18 sisted activities in addressing the objectives of
19 this part.

20 (3) ACCESS TO DOCUMENTS BY THE SEC-
21 RETARY.—The Secretary shall have access for the
22 purpose of audit and examination to any books, doc-
23 uments, papers, and records that are pertinent to
24 assistance in connection with, and the requirements
25 of, this section.

1 (4) ACCESS TO DOCUMENTS BY THE COMP-
2 TROLLER GENERAL.—The Comptroller General of
3 the United States, or any of the duly authorized rep-
4 resentatives of the Comptroller General, shall have
5 access for the purpose of audit and examination to
6 any books, documents, papers, and records that are
7 pertinent to assistance in connection with, and the
8 requirements of, this section.

9 (h) EVALUATION AND REPORT.—

10 (1) CONSULTATION WITH PHA AND FAMILY
11 REPRESENTATIVES.—In making assessments
12 throughout the demonstration, the Secretary shall
13 consult with representatives of public housing agen-
14 cies and residents.

15 (2) REPORT TO CONGRESS.—Not later than
16 180 days after the end of the third year of the dem-
17 onstration, the Secretary shall submit to the Con-
18 gress a report evaluating the programs carried out
19 under the demonstration. The report shall also in-
20 clude findings and recommendations for any appro-
21 priate legislative action.

22 (i) FUNDING FOR TECHNICAL ASSISTANCE AND
23 EVALUATION.—From amounts appropriated for assist-
24 ance under section 14 of the United States Housing Act

1 of 1937 for fiscal years 1996, 1997, and 1998, the Sec-
2 retary may use up to a total of \$5,000,000—

3 (1) to provide, directly or by contract, training
4 and technical assistance—

5 (A) to public housing agencies that express
6 an interest to apply for training and technical
7 assistance pursuant to subsection (c)(4), to as-
8 sist them in designing programs to be proposed
9 for the demonstration; and

10 (B) to up to 10 agencies selected to receive
11 training and technical assistance pursuant to
12 subsection (c)(4), to assist them in implement-
13 ing the approved program; and

14 (2) to conduct detailed evaluations of the activi-
15 ties of the public housing agencies under paragraph
16 (1)(B), directly or by contract.

17 EXTENSION OF MULTIFAMILY HOUSING FINANCE
18 PROGRAM

19 SEC. 205. (a) The first sentence of section 542(b)(5)
20 of the Housing and Community Development Act of 1992
21 (12 U.S.C. 1707 note) is amended by striking “on not
22 more than 15,000 units over fiscal years 1993 and 1994”
23 and inserting “on not more than 7,500 units during fiscal
24 year 1996”.

25 (b) The first sentence of section 542(c)(4) of the
26 Housing and Community Development Act of 1992 (12

1 U.S.C. 1707 note) is amended by striking “on not to ex-
2 ceed 30,000 units over fiscal years 1993, 1994, and 1995”
3 and inserting “on not more than 10,000 units during fis-
4 cal year 1996”.

5 FORECLOSURE OF HUD-HELD MORTGAGES THROUGH
6 THIRD PARTIES

7 SEC. 206. During fiscal year 1996, the Secretary of
8 Housing and Urban Development may delegate to one or
9 more entities the authority to carry out some or all of the
10 functions and responsibilities of the Secretary in connec-
11 tion with the foreclosure of mortgages held by the Sec-
12 retary under the National Housing Act.

13 RESTRUCTURING OF THE HUD MULTIFAMILY MORTGAGE
14 PORTFOLIO THROUGH STATE HOUSING FINANCE
15 AGENCIES.

16 SEC. 207. During fiscal year 1996, the Secretary of
17 Housing and Urban Development may sell or otherwise
18 transfer multifamily mortgages held by the Secretary
19 under the National Housing Act to a State housing fi-
20 nance agency in connection with a program authorized
21 under section 542 (b) or (c) of the Housing and Commu-
22 nity Development Act of 1992 without regard to the unit
23 limitations in section 542(b)(5) or 542(c)(4) of such Act.

1 TRANSFER OF SECTION 8 AUTHORITY

2 SEC. 208. Section 8 of the United States Housing
3 Act of 1937 is amended by adding the following new sub-
4 section at the end:

5 “(bb) TRANSFER OF BUDGET AUTHORITY.—If an as-
6 sistance contract under this section, other than a contract
7 for tenant-based assistance, is terminated or is not re-
8 newed, or if the contract expires, the Secretary shall, in
9 order to provide continued assistance to eligible families,
10 including eligible families receiving the benefit of the
11 project-based assistance at the time of the termination,
12 transfer any budget authority remaining in the contract
13 to another contract. The transfer shall be under such
14 terms as the Secretary may prescribe.”.

15 DOCUMENTATION OF MULTIFAMILY REFINANCINGS

16 SEC. 209. Notwithstanding the 16th paragraph under
17 the item relating to “administrative provisions” in title II
18 of the Departments of Veterans Affairs and Housing and
19 Urban Development, and Independent Agencies Appro-
20 priations Act, 1995 (Public Law 103–327; 108 Stat.
21 2316), the amendments to section 223(a)(7) of the Na-
22 tional Housing Act made by the 15th paragraph of such
23 Act shall be effective during fiscal year 1996 and there-
24 after.

1 FHA MULTIFAMILY DEMONSTRATION AUTHORITY

2 SEC. 210. (a) On and after October 1, 1995, and be-
3 fore October 1, 1997, the Secretary of Housing and Urban
4 Development shall initiate a demonstration program with
5 respect to multifamily projects whose owners agree to par-
6 ticipate and whose mortgages are insured under the Na-
7 tional Housing Act and that are assisted under section
8 8 of the United States Housing Act of 1937 and whose
9 present section 8 rents are, in the aggregate, in excess
10 of the fair market rent of the locality in which the project
11 is located. These programs shall be designed to test the
12 feasibility and desirability of the goal of ensuring, to the
13 maximum extent practicable, that the debt service and op-
14 erating expenses, including adequate reserves, attributable
15 to such multifamily projects can be supported with or
16 without mortgage insurance under the National Housing
17 Act and with or without above-market rents and utilizing
18 project-based assistance or, with the consent of the prop-
19 erty owner, tenant-based assistance, while taking into ac-
20 count the need for assistance of low- and very low-income
21 families in such projects. In carrying out this demonstra-
22 tion, the Secretary may use arrangements with third par-
23 ties, under which the Secretary may provide for the as-
24 sumption by the third parties (by delegation, contract, or

1 otherwise) of some or all of the functions, obligations, and
2 benefits of the Secretary.

3 (1) GOALS.—The Secretary of Housing and
4 Urban Development shall carry out the demonstra-
5 tion programs under this section in a manner that—

6 (A) will protect the financial interests of
7 the Federal Government;

8 (B) will result in significant discretionary
9 cost savings through debt restructuring and
10 subsidy reduction; and

11 (C) will, in the least costly fashion, address
12 the goals of—

13 (i) maintaining existing housing stock
14 in a decent, safe, and sanitary condition;

15 (ii) minimizing the involuntary dis-
16 placement of tenants;

17 (iii) restructuring the mortgages of
18 such projects in a manner that is consist-
19 ent with local housing market conditions;

20 (iv) supporting fair housing strategies;

21 (v) minimizing any adverse income tax
22 impact on property owners; and

23 (vi) minimizing any adverse impact on
24 residential neighborhoods.

1 In determining the manner in which a mortgage is
2 to be restructured or the subsidy reduced, the Sec-
3 retary may balance competing goals relating to indi-
4 vidual projects in a manner that will further the
5 purposes of this section.

6 (2) DEMONSTRATION APPROACHES.—In carry-
7 ing out the demonstration programs, subject to the
8 appropriation in subsection (f), the Secretary may
9 use one or more of the following approaches:

10 (A) Joint venture arrangements with third
11 parties, under which the Secretary may provide
12 for the assumption by the third parties (by del-
13 egation, contract, or otherwise) of some or all
14 of the functions, obligations, and benefits of the
15 Secretary.

16 (B) Subsidization of the debt service of the
17 project to a level that can be paid by an owner
18 receiving an unsubsidized market rent.

19 (C) Renewal of existing project-based as-
20 sistance contracts where the Secretary shall ap-
21 prove proposed initial rent levels that do not ex-
22 ceed the greater of 120 percent of fair market
23 rents or comparable market rents for the rel-
24 evant metropolitan market area or at rent levels
25 under a budget-based approach.

1 (D) Nonrenewal of expiring existing
2 project-based assistance contracts and providing
3 tenant-based assistance to previously assisted
4 households.

5 (b) For purposes of carrying out demonstration pro-
6 grams under subsection (a)—

7 (1) the Secretary may manage and dispose of
8 multifamily properties owned by the Secretary as of
9 October 1, 1995 and multifamily mortgages held by
10 the Secretary as of October 1, 1995 for properties
11 assisted under section 8 with rents above 110 per-
12 cent of fair market rents without regard to any
13 other provision of law; and

14 (2) the Secretary may delegate to one or more
15 entities the authority to carry out some or all of the
16 functions and responsibilities of the Secretary in
17 connection with the foreclosure of mortgages held by
18 the Secretary under the National Housing Act.

19 (c) For purposes of carrying out demonstration pro-
20 grams under subsection (a), subject to such third party
21 consents (if any) as are necessary including but not lim-
22 ited to (i) consent by the Government National Mortgage
23 Association where it owns a mortgage insured by the Sec-
24 retary; (ii) consent by an issuer under the mortgage-
25 backed securities program of the Association, subject to

1 the responsibilities of the issuer to its security holders and
2 the Association under such program; and (iii) parties to
3 any contractual agreement which the Secretary proposes
4 to modify or discontinue, and subject to the appropriation
5 in subsection (c), the Secretary or one or more third par-
6 ties designated by the Secretary may take the following
7 actions:

8 (1) Notwithstanding any other provision of law,
9 and subject to the agreement of the project owner,
10 the Secretary or third party may remove, relinquish,
11 extinguish, modify, or agree to the removal of any
12 mortgage, regulatory agreement, project-based as-
13 sistance contract, use agreement, or restriction that
14 had been imposed or required by the Secretary, in-
15 cluding restrictions on distributions of income which
16 the Secretary or third party determines would inter-
17 fere with the ability of the project to operate without
18 above market rents. The Secretary or third party
19 may require an owner of a property assisted under
20 the section 8 new construction/substantial rehabilita-
21 tion program to apply any accumulated residual re-
22 ceipts toward effecting the purposes of this section.

23 (2) Notwithstanding any other provision of law,
24 the Secretary of Housing and Urban Development
25 may enter into contracts to purchase reinsurance, or

1 enter into participations or otherwise transfer eco-
2 nomic interest in contracts of insurance or in the
3 premiums paid, or due to be paid, on such insurance
4 to third parties, on such terms and conditions as the
5 Secretary may determine.

6 (3) The Secretary may offer project-based as-
7 sistance with rents at or below fair market rents for
8 the locality in which the project is located and may
9 negotiate such other terms as are acceptable to the
10 Secretary and the project owner.

11 (4) The Secretary may offer to pay all or a por-
12 tion of the project's debt service, including payments
13 monthly from the appropriate Insurance Fund, for
14 the full remaining term of the insured mortgage.

15 (5) Notwithstanding any other provision of law,
16 the Secretary may forgive and cancel any FHA-in-
17 sured mortgage debt that a demonstration program
18 property cannot carry at market rents while bearing
19 full operating costs.

20 (6) For demonstration program properties that
21 cannot carry full operating costs (excluding debt
22 service) at market rents, the Secretary may approve
23 project-based rents sufficient to carry such full oper-
24 ating costs and may offer to pay the full debt service
25 in the manner provided in paragraph (4).

1 (d) COMMUNITY AND TENANT INPUT.—In carrying
2 out this section, the Secretary shall develop procedures to
3 provide appropriate and timely notice to officials of the
4 unit of general local government affected, the community
5 in which the project is situated, and the tenants of the
6 project.

7 (e) LIMITATION ON DEMONSTRATION AUTHORITY.—
8 The Secretary may carry out demonstration programs
9 under this section with respect to mortgages not to exceed
10 15,000 units. The demonstration authorized under this
11 section shall not be expanded until the reports required
12 under subsection (g) are submitted to the Congress.

13 (f) APPROPRIATION.—For the cost of modifying loans
14 held or guaranteed by the Federal Housing Administra-
15 tion, as authorized by this subsection (a)(2) and sub-
16 section (c), \$30,000,000, to remain available until Sep-
17 tember 30, 1997: *Provided*, That such costs shall be as
18 defined in section 502 of the Congressional Budget Act
19 of 1974, as amended.

20 (g) REPORT TO CONGRESS.—The Secretary shall
21 submit to the Congress every six months after the date
22 of enactment of this Act a report describing and assessing
23 the programs carried out under the demonstrations. The
24 Secretary shall also submit a final report to the Congress
25 not later than six months after the end of the demonstra-

1 tions. The reports shall include findings and recommenda-
2 tions for any legislative action appropriate. The reports
3 shall also include a description of the status of each multi-
4 family housing project selected for the demonstrations
5 under this section. The final report may include—

6 (1) the size of the projects;

7 (2) the geographic locations of the projects, by
8 State and region;

9 (3) the physical and financial condition of the
10 projects;

11 (4) the occupancy profile of the projects, includ-
12 ing the income, family size, race, and ethnic origin
13 of current tenants, and the rents paid by such ten-
14 ants;

15 (5) a description of actions undertaken pursu-
16 ant to this section, including a description of the ef-
17 fectiveness of such actions and any impediments to
18 the transfer or sale of multifamily housing projects;

19 (6) a description of the extent to which the
20 demonstrations under this section have displaced
21 tenants of multifamily housing projects;

22 (7) a description of any of the functions per-
23 formed in connection with this section that are
24 transferred or contracted out to public or private en-
25 tities or to States;

1 (8) a description of the impact to which the
2 demonstrations under this section have affected the
3 localities and communities where the selected multi-
4 family housing projects are located; and

5 (9) a description of the extent to which the
6 demonstrations under this section have affected the
7 owners of multifamily housing projects.

8 ASSESSMENT COLLECTION DATES FOR OFFICE OF
9 FEDERAL HOUSING ENTERPRISE OVERSIGHT

10 SEC. 211. Section 1316(b) of the Housing and Com-
11 munity Development Act of 1992 (12 U.S.C. 4516(b)) is
12 amended by striking paragraph (2) and inserting the fol-
13 lowing new paragraph:

14 “(2) TIMING OF PAYMENT.—The annual assessment
15 shall be payable semiannually for each fiscal year, on Oc-
16 tober 1 and April 1.”.

17 MERGER LANGUAGE FOR ASSISTANCE FOR THE RENEWAL
18 OF EXPIRING SECTION 8 SUBSIDY CONTRACTS AND
19 ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

20 SEC. 212. All remaining obligated and unobligated
21 balances in the Renewal of Expiring Section 8 Subsidy
22 Contracts account on September 30, 1995, shall imme-
23 diately thereafter be transferred to and merged with the
24 obligated and unobligated balances, respectively, of the
25 Annual Contributions for Assisted Housing account.

DEBT FORGIVENESS

1
2 SEC. 213. (a) The Secretary of Housing and Urban
3 Development shall cancel the indebtedness of the Hubbard
4 Hospital Authority of Hubbard, Texas, relating to the
5 public facilities loan for Project Number PFL-TEX-215,
6 issued under title II of the Housing Amendments of 1955.
7 Such hospital authority is relieved of all liability to the
8 Government for the outstanding principal balance on such
9 loan, for the amount of accrued interest on such loan, and
10 for any fees and charges payable in connection with such
11 loan.

12 (b) The Secretary of Housing and Urban Develop-
13 ment shall cancel the indebtedness of the Groveton Texas
14 Hospital Authority relating to the public facilities loan for
15 Project Number TEX-41-PFL0162, issued under title II
16 of the Housing Amendments of 1955. Such hospital au-
17 thority is relieved of all liability to the Government for
18 the outstanding principal balance on such loan, for the
19 amount of accrued interest on such loan, and for any fees
20 and charges payable in connection with such loan.

21 (c) The Secretary of Housing and Urban Develop-
22 ment shall cancel the indebtedness of the Hepzibah Public
23 Service District of Hepzibah, West Virginia, relating to
24 the public facilities loan for Project Number WV-46-
25 PFL0031, issued under title II of the Housing Amend-

1 ments of 1955. Such public service district is relieved of
2 all liability to the Government for the outstanding prin-
3 cipal balance on such loan, for the amount of accrued in-
4 terest on such loan, and for any fees and charges payable
5 in connection with such loan.

6 (d) The Secretary of Housing and Urban Develop-
7 ment shall cancel indebtedness of Sheehan Memorial Hos-
8 pital of Buffalo, New York, relating to the Federal Hous-
9 ing Administration insurance for Project Number 014–
10 13002 issued under section 242 of the National Housing
11 Act. Such hospital is relieved of all liability to the Govern-
12 ment for the outstanding principal balance on such loan,
13 for the amount of accrued interest on such loan, and for
14 any fees and charges payable in connection with such loan.

15 CLARIFICATIONS

16 SEC. 214. For purposes of Federal law, the Paul Mi-
17 rabile Center in San Diego, California, including areas
18 within such Center that are devoted to the delivery of sup-
19 portive services, has been determined to satisfy the “con-
20 tinuum of care” requirements of the Department of Hous-
21 ing and Urban Development, and shall be treated as—

22 (a) consisting solely of residential units that (i)
23 contain sleeping accommodations and kitchen and
24 bathroom facilities, (ii) are located in a building that
25 is used exclusively to facilitate the transition of
26 homeless individuals (within the meaning of section

1 103 of the Stewart B. McKinney Homeless Assist-
2 ance Act (42 U.S.C. 11302), as in effect on Decem-
3 ber 19, 1989) to independent living within 24
4 months, (iii) are suitable for occupancy, with each
5 cubicle constituting a separate bedroom and residen-
6 tial unit, (iv) are used on other than a transient
7 basis, and (v) shall be originally placed in service on
8 November 1, 1995; and

9 (b) property that is entirely residential rental
10 property, namely, a project for residential rental
11 property.

12 EMPLOYMENT LIMITATIONS

13 SEC. 215. (a) By the end of fiscal year 1996 the De-
14 partment of Housing and Urban Development shall em-
15 ploy no more than seven Assistant Secretaries, notwith-
16 standing section 4(a) of the Department of Housing and
17 Urban Development Act.

18 (b) By the end of fiscal year 1996 the Department
19 of Housing and Urban Development shall employ no more
20 than 77 schedule C and 20 non-career senior executive
21 service employees.

22 USE OF FUNDS

23 SEC. 216. (a) Of the \$93,400,000 earmarked in Pub-
24 lic Law 101-144 (103 Stat. 850), as amended by Public
25 Law 101-302 (104 Stat. 237), for special projects and
26 purposes, any amounts remaining of the \$500,000 made

1 available to Bethlehem House in Highland, California, for
2 site planning and loan acquisition shall instead be made
3 available to the County of San Bernardino in California
4 to assist with the expansion of the Los Padrinos Gang
5 Intervention Program and the Unity Home Domestic Vio-
6 lence Shelter.

7 (b) The amount made available for fiscal year 1995
8 for the removal of asbestos from an abandoned public
9 school building in Toledo, Ohio shall be made available
10 for the renovation and rehabilitation of an industrial
11 building at the University of Toledo in Toledo, Ohio.

12 LEAD-BASED PAINT ABATEMENT

13 SEC. 217. (a) Section 1011 of Title X—Residential
14 Lead-Based Paint Hazard Reduction Act of 1992 is
15 amended as follows: Strike “priority housing” wherever it
16 appears in said section and insert “housing”.

17 (b) Section 1011(a) shall be amended as follows: At
18 the end of the subsection after the period, insert: “Grants
19 shall only be made under this section to provide assistance
20 for housing which meets the following criteria—

21 “(1) for grants made to assist rental housing,
22 at least 50 percent of the units must be occupied by
23 or made available to families with incomes at or
24 below 50 percent of the area median income level
25 and the remaining units shall be occupied or made
26 available to families with incomes at or below 80

1 percent of the area median income level, and in all
2 cases the landlord shall give priority in renting units
3 assisted under this section, for not less than 3 years
4 following the completion of lead abatement activities,
5 to families with a child under the age of six years,
6 except that buildings with five or more units may
7 have 20 percent of the units occupied by families
8 with incomes above 80 percent of area median in-
9 come level;

10 “(2) for grants made to assist housing owned
11 by owner-occupants, all units assisted with grants
12 under this section shall be the principal residence of
13 families with income at or below 80 percent of the
14 area median income level, and not less than 90 per-
15 cent of the units assisted with grants under this sec-
16 tion shall be occupied by a child under the age of
17 six years or shall be units where a child under the
18 age of six years spends a significant amount of time
19 visiting; and

20 “(3) notwithstanding paragraphs (1) and (2),
21 Round II grantees who receive assistance under this
22 section may use such assistance for priority hous-
23 ing.”.

1 EXTENSION PERIOD FOR SHARING UTILITY COST SAVINGS
2 WITH PHAS

3 SEC. 218. Section 9(a)(3)(B)(i) of the United States
4 Housing Act of 1937 is amended by striking “for a period
5 not to exceed 6 years”.

6 MORTGAGE NOTE SALES

7 SEC. 219. The first sentence of section
8 221(g)(4)(C)(viii) of the National Housing Act is amended
9 by striking “September 30, 1995” and inserting in lieu
10 thereof “September 30, 1996”.

11 REPEAL OF FROST-LELAND

12 SEC. 220. Section 415 of the Department of Housing
13 and Urban Development—Independent Agencies Appro-
14 priations Act, 1988 (Public Law 100–202; 101 Stat.
15 1329–213) is repealed.

16 FHA SINGLE-FAMILY ASSIGNMENT PROGRAM REFORM

17 SEC. 221. Section 230(d) of the National Housing
18 Act is amended by striking “the Departments” and all
19 that follows through “1996” and inserting “The Balanced
20 Budget Downpayment Act, I”.

21 SPENDING LIMITATIONS

22 SEC. 222. (a) None of the funds in this Act may be
23 used by the Secretary to impose any sanction, or penalty
24 because of the enactment of any State or local law or regu-
25 lation declaring English as the official language.

1 (b) No part of any appropriation contained in this
2 Act shall be used for lobbying activities as prohibited by
3 law.

4 TRANSFER OF FUNCTIONS TO THE DEPARTMENT OF
5 JUSTICE

6 SEC. 223. All functions, activities and responsibilities
7 of the Secretary of Housing and Urban Development re-
8 lating to title VIII of the Civil Rights Act of 1968, as
9 amended by the Fair Housing Amendments Act of 1988,
10 and the Fair Housing Act, including any rights guaran-
11 teed under the Fair Housing Act (including any functions
12 relating to the Fair Housing Initiatives program under
13 section 561 of the Housing and Community Development
14 Act of 1987), are hereby transferred to the Attorney Gen-
15 eral of the United States effective April 1, 1997: *Provided*,
16 That none of the aforementioned authority or responsibil-
17 ity for enforcement of the Fair Housing Act shall be trans-
18 ferred to the Attorney General until adequate personnel
19 and resources allocated to such activity at the Department
20 of Housing and Urban Development are transferred to the
21 Department of Justice.

22 SEC. 224. None of the funds provided in this Act may
23 be used during fiscal year 1996 to investigate or prosecute
24 under the Fair Housing Act (42 U.S.C. 3601, et seq.) any
25 otherwise lawful activity engaged in by one or more per-
26 sons, including the filing or maintaining of non-frivolous

1 legal action, that is engaged in solely for the purposes of
2 achieving or preventing action by a Government official,
3 entity, or court of competent jurisdiction.

4 SEC. 225. None of the funds provided in this Act
5 many be used to take any enforcement action with respect
6 to a complaint of discrimination under the Fair Housing
7 Act (42 U.S.C. 3601, et seq.) on the basis of familial sta-
8 tus and which involves an occupancy standard established
9 by the housing provider except to the extent that it is
10 found that there has been discrimination in contravention
11 of the standards provided in the March 20, 1991 Memo-
12 randum from the General Counsel of the Department of
13 Housing and Urban Development to all Regional Counsel
14 or until such time that HUD issues a final rule in accord-
15 ance with section 553 of title 5, United States Code.

16 CDBG ELIGIBLE ACTIVITIES

17 SEC. 226. Section 105(a) of the Housing and Com-
18 munity Development Act of 1974 (42 U.S.C. 5305(a)) is
19 amended—

20 (1) in paragraph (4)—

21 (A) by inserting “reconstruction,” after
22 “removal,”; and

23 (B) by striking “acquisition for rehabilita-
24 tion, and rehabilitation” and inserting “acquisi-
25 tion for reconstruction or rehabilitation, and re-
26 construction or rehabilitation”;

1 and insurance of official motor vehicles in foreign coun-
2 tries, when required by law of such countries;
3 \$20,265,000, to remain available until expended: *Pro-*
4 *vided*, That where station allowance has been authorized
5 by the Department of the Army for officers of the Army
6 serving the Army at certain foreign stations, the same al-
7 lowance shall be authorized for officers of the Armed
8 Forces assigned to the Commission while serving at the
9 same foreign stations, and this appropriation is hereby
10 made available for the payment of such allowance: *Pro-*
11 *vided further*, That when traveling on business of the Com-
12 mission, officers of the Armed Forces serving as members
13 or as Secretary of the Commission may be reimbursed for
14 expenses as provided for civilian members of the Commis-
15 sion: *Provided further*, That the Commission shall reim-
16 burse other Government agencies, including the Armed
17 Forces, for salary, pay, and allowances of personnel as-
18 signed to it.

19 CONSUMER PRODUCT SAFETY COMMISSION

20 SALARIES AND EXPENSES

21 For necessary expenses of the Consumer Product
22 Safety Commission, including hire of passenger motor ve-
23 hicles, services as authorized by 5 U.S.C. 3109, but at
24 rates for individuals not to exceed the per diem rate equiv-
25 alent to the rate for GS-18, purchase of nominal awards

1 to recognize non-Federal officials' contributions to Com-
2 mission activities, and not to exceed \$500 for official re-
3 ception and representation expenses, \$40,000,000.

4 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
5 NATIONAL AND COMMUNITY SERVICE PROGRAMS
6 OPERATING EXPENSES

7 For necessary expenses for the Corporation for Na-
8 tional and Community Service in carrying out the orderly
9 termination of programs, activities, and initiatives under
10 the National and Community Service Act of 1990, as
11 amended (Public Law 103–82), \$15,000,000: *Provided*,
12 That such amount shall be utilized to resolve all respon-
13 sibilities and obligations in connection with said Corpora-
14 tion and the Corporation's Office of Inspector General:
15 *Provided further*, That such amount shall cease to be avail-
16 able for obligation upon the date of implementation of title
17 IV of this Act, and any portion of such amount obligated
18 before such date shall be charged against the appropria-
19 tion made under this heading in title IV of this Act.

20 COURT OF VETERANS APPEALS
21 SALARIES AND EXPENSES

22 For necessary expenses for the operation of the
23 United States Court of Veterans Appeals as authorized
24 by 38 U.S.C. sections 7251–7292, \$9,000,000, of which
25 not to exceed \$678,000, to remain available until Septem-

1 ber 30, 1997, shall be available for the purpose of provid-
2 ing financial assistance as described, and in accordance
3 with the process and reporting procedures set forth, under
4 this head in Public Law 102–229.

5 DEPARTMENT OF DEFENSE—CIVIL

6 CEMETERIAL EXPENSES, ARMY

7 SALARIES AND EXPENSES

8 For necessary expenses, as authorized by law, for
9 maintenance, operation, and improvement of Arlington
10 National Cemetery and Soldiers’ and Airmen’s Home Na-
11 tional Cemetery, and not to exceed \$1,000 for official re-
12 ception and representation expenses; \$11,946,000, to re-
13 main available until expended.

14 ENVIRONMENTAL PROTECTION AGENCY

15 SCIENCE AND TECHNOLOGY

16 For science and technology, including research and
17 development activities, which shall include research and
18 development activities under the Comprehensive Environ-
19 mental Response, Compensation and Liability Act of 1980
20 (CERCLA), as amended; necessary expenses for personnel
21 and related costs and travel expenses, including uniforms,
22 or allowances therefore, as authorized by 5 U.S.C. 5901–
23 5902; services as authorized by 5 U.S.C. 3109, but at
24 rates for individuals not to exceed the per diem rate equiv-
25 alent to the rate for GS–18; procurement of laboratory

1 equipment and supplies; other operating expenses in sup-
2 port of research and development; construction, alteration,
3 repair, rehabilitation and renovation of facilities, not to
4 exceed \$75,000 per project; \$525,000,000, which shall re-
5 main available until September 30, 1997.

6 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

7 For environmental programs and management, in-
8 cluding necessary expenses, not otherwise provided for, for
9 personnel and related costs and travel expenses, including
10 uniforms, or allowances therefore, as authorized by 5
11 U.S.C. 5901–5902; services as authorized by 5 U.S.C.
12 3109, but at rates for individuals not to exceed the per
13 diem rate equivalent to the rate for GS–18; hire of pas-
14 senger motor vehicles; hire, maintenance, and operation
15 of aircraft; purchase of reprints; library memberships in
16 societies or associations which issue publications to mem-
17 bers only or at a price to members lower than to subscrib-
18 ers who are not members; construction, alteration, repair,
19 rehabilitation, and renovation of facilities, not to exceed
20 \$75,000 per project; and not to exceed \$6,000 for official
21 reception and representation expenses; \$1,550,300,000,
22 which shall remain available until September 30, 1997:
23 *Provided*, That, notwithstanding any other provision of
24 law, for this fiscal year and hereafter, an industrial dis-
25 charger that is a pharmaceutical manufacturing facility
26 and discharged to the Kalamazoo Water Reclamation

1 Plant (an advanced wastewater treatment plant with acti-
2 vated carbon) prior to the date of enactment of this Act
3 may be exempted from categorical pretreatment standards
4 under section 307(b) of the Federal Water Pollution Con-
5 trol Act, as amended, if the following conditions are met:

6 (1) The owner or operator of the Kalamazoo
7 Water Reclamation Plant applies to the State of
8 Michigan for an exemption for such industrial dis-
9 charger.

10 (2) The State or Administrator, as applicable,
11 approves such exemption request based upon a de-
12 termination that the Kalamazoo Water Reclamation
13 Plant will provide treatment and pollution removal
14 equivalent to or better than that which would be re-
15 quired through a combination of pretreatment by
16 such industrial discharger and treatment by the
17 Kalamazoo Water Reclamation Plant in the absence
18 of the exemption.

19 (3) Compliance with paragraph (2) is addressed
20 by the provisions and conditions of a permit issued
21 to the Kalamazoo Water Reclamation Plant under
22 section 402 of such Act, and there exists an opera-
23 tive financial contract between the City of Kala-
24 mazoo and the industrial user and an approved local
25 pretreatment program, including a joint monitoring

1 program and local controls to prevent against inter-
2 ference and pass through.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, as amended, and for construction,
7 alteration, repair, rehabilitation, and renovation of facili-
8 ties, not to exceed \$75,000 per project, \$28,500,000.

9 BUILDINGS AND FACILITIES

10 For construction, repair, improvement, extension, al-
11 teration, and purchase of fixed equipment or facilities of,
12 or use by, the Environmental Protection Agency,
13 \$60,000,000, to remain available until expended: *Pro-*
14 *vided*, That notwithstanding any other provision of law,
15 the Environmental Protection Agency (EPA) shall: (1)
16 transfer all real property acquired in Bay City, Michigan,
17 for the creation of the Center for Ecology, Research and
18 Training (CERT) to the City of Bay City or other local
19 public or municipal entity; and (2) make a grant in fiscal
20 year 1996 to the recipient of the property of not less than
21 \$3,000,000 from funds previously appropriated for the
22 CERT project for the purposes of environmental remedi-
23 ation and rehabilitation of real property included in the
24 boundaries of the CERT project: *Provided further*, That
25 the disposition of property shall be by donation or no-cost
26 transfer and shall be made to the City of Bay City, Michi-

1 gan or other local public or municipal entity: *Provided fur-*
2 *ther*, That notwithstanding any other provision of law,
3 EPA shall have the authority to demolish or dispose of
4 any improvements on such real property, or to donate, sell,
5 or transfer any personal property or improvements on
6 such real property to members of the general public, by
7 auction or public sale, and to apply any funds received
8 to costs related to the transfer of the real property author-
9 ized hereunder.

10 HAZARDOUS SUBSTANCE SUPERFUND
11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses to carry out the Comprehen-
13 sive Environmental Response, Compensation and Liability
14 Act of 1980 (CERCLA), as amended, including sections
15 111 (c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611),
16 and for construction, alteration, repair, rehabilitation, and
17 renovation of facilities, not to exceed \$75,000 per project;
18 not to exceed \$1,163,400,000, to remain available until
19 expended, consisting of \$913,400,000 as authorized by
20 section 517(a) of the Superfund Amendments and Reau-
21 thorization Act of 1986 (SARA), as amended by Public
22 Law 101–508, and \$250,000,000 as a payment from gen-
23 eral revenues to the Hazardous Substance Superfund as
24 authorized by section 517(b) of SARA, as amended by
25 Public Law 101–508: *Provided*, That funds appropriated
26 under this heading may be allocated to other Federal

1 agencies in accordance with section 111(a) of CERCLA:
2 *Provided further*, That \$11,000,000 of the funds appro-
3 priated under this heading shall be transferred to the Of-
4 fice of Inspector General appropriation to remain available
5 until September 30, 1996: *Provided further*, That notwith-
6 standing section 111(m) of CERCLA or any other provi-
7 sion of law, not to exceed \$59,000,000 of the funds appro-
8 priated under this heading shall be available to the Agency
9 for Toxic Substances and Disease Registry to carry out
10 activities described in sections 104(i), 111(c)(4), and
11 111(c)(14) of CERCLA and section 118(f) of the
12 Superfund Amendments and Reauthorization Act of 1986:
13 *Provided further*, That none of the funds appropriated
14 under this heading shall be available for the Agency for
15 Toxic Substances and Disease Registry to issue in excess
16 of 40 toxicological profiles pursuant to section 104(i) of
17 CERCLA during fiscal year 1996: *Provided further*, That
18 none of the funds made available under this heading may
19 be used by the Environmental Protection Agency to pro-
20 pose for listing or to list any additional facilities on the
21 National Priorities List established by section 105 of the
22 Comprehensive Environmental Response, Compensation
23 and Liability Act (CERCLA), as amended (42 U.S.C.
24 9605), unless the Administrator receives a written request
25 to propose for listing or to list a facility from the Governor

1 of the State in which the facility is located, or unless legis-
2 lation to reauthorize CERCLA is enacted.

3 LEAKING UNDERGROUND STORAGE TANK TRUST FUND

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses to carry out leaking under-
6 ground storage tank cleanup activities authorized by sec-
7 tion 205 of the Superfund Amendments and Reauthoriza-
8 tion Act of 1986, and for construction, alteration, repair,
9 rehabilitation, and renovation of facilities, not to exceed
10 \$75,000 per project, \$45,827,000, to remain available
11 until expended: *Provided*, That no more than \$7,000,000
12 shall be available for administrative expenses: *Provided*
13 *further*, That \$500,000 shall be transferred to the Office
14 of Inspector General appropriation to remain available
15 until September 30, 1996.

16 OIL SPILL RESPONSE

17 (INCLUDING TRANSFER OF FUNDS)

18 For expenses necessary to carry out the Environ-
19 mental Protection Agency's responsibilities under the Oil
20 Pollution Act of 1990, \$15,000,000, to be derived from
21 the Oil Spill Liability trust fund, and to remain available
22 until expended: *Provided*, That not more than \$8,000,000
23 of these funds shall be available for administrative ex-
24 penses.

1 STATE AND TRIBAL ASSISTANCE GRANTS

2 For environmental programs and infrastructure as-
3 sistance, including capitalization grants for State revolv-
4 ing funds and performance partnership grants,
5 \$2,323,000,000, to remain available until expended, of
6 which \$1,400,000,000 shall be for making capitalization
7 grants for State revolving funds to support water infra-
8 structure financing; \$100,000,000 for architectural, engi-
9 neering, design, construction and related activities in con-
10 nection with the construction of high priority water and
11 wastewater facilities in the area of the United States-Mex-
12 ico Border, after consultation with the appropriate border
13 commission; \$50,000,000 for grants to the State of Texas,
14 which shall be matched by an equal amount of State funds
15 from State resources, for the purpose of improving
16 wastewater treatment for colonias; \$15,000,000 for grants
17 to the State of Alaska, subject to an appropriate cost
18 share as determined by the Administrator, to address
19 wastewater infrastructure needs of rural and Alaska Na-
20 tive villages; and \$100,000,000 for making grants for the
21 construction of wastewater treatment facilities and the de-
22 velopment of groundwater in accordance with the terms
23 and conditions specified for such grants in the Conference
24 Report accompanying this Act (H.R. 2099): *Provided*,
25 That beginning in fiscal year 1996 and each fiscal year

1 thereafter, and notwithstanding any other provision of
2 law, the Administrator is authorized to make grants annu-
3 ally from funds appropriated under this heading, subject
4 to such terms and conditions as the Administrator shall
5 establish, to any State or federally recognized Indian tribe
6 for multimedia or single media pollution prevention, con-
7 trol and abatement and related environmental activities at
8 the request of the Governor or other appropriate State of-
9 ficial or the tribe: *Provided further*, That from funds ap-
10 propriated under this heading, the Administrator may
11 make grants to federally recognized Indian governments
12 for the development of multimedia environmental pro-
13 grams: *Provided further*, That of the \$1,400,000,000 for
14 capitalization grants for State revolving funds to support
15 water infrastructure financing, \$275,000,000 shall be for
16 drinking water State revolving funds, but if no drinking
17 water State revolving fund legislation is enacted by June
18 1, 1996, these funds shall immediately be available for
19 making capitalization grants under title VI of the Federal
20 Water Pollution Control Act, as amended: *Provided fur-*
21 *ther*, That of the funds made available in Public Law 103-
22 327 and in Public Law 103-124 for capitalization grants
23 for State revolving funds to support water infrastructure
24 financing, \$225,000,000 shall be made available for cap-
25 italization grants for State revolving funds under title VI

1 of the Federal Water Pollution Control Act, as
2 amended, if no drinking water State revolving fund legisla-
3 tion is enacted by June 1, 1996: *Provided further*, That
4 of the funds made available under this heading for capital-
5 ization grants for State Revolving Funds under title VI
6 of the Federal Water Pollution Control Act, as amended,
7 \$50,000,000 shall be for wastewater treatment in improv-
8 erished communities pursuant to section 102(d) of H.R.
9 961 as approved by the United States House of Represent-
10 atives on May 16, 1995: *Provided further*, That of the
11 funds appropriated in the Construction Grants and Water
12 Infrastructure/State Revolving Funds accounts since the
13 appropriation for the fiscal year ending September 30,
14 1992, and hereafter, for making grants for wastewater
15 treatment works construction projects, portions may be
16 provided by the recipients to States for managing con-
17 struction grant activities, on condition that the States
18 agree to reimburse the recipients from State funding
19 sources: *Provided further*, That the funds made available
20 in Public Law 103-327 for a grant to the City of Mt.
21 Arlington, New Jersey, in accordance with House Report
22 103-715, shall be available for a grant to that city for
23 water and sewer improvements.

24 ADMINISTRATIVE PROVISIONS

25 SEC. 301. None of the funds provided in this Act may
26 be used within the Environmental Protection Agency for

1 any final action by the Administrator or her delegate for
2 signing and publishing for promulgation of a rule concern-
3 ing any new standard for radon in drinking water.

4 SEC. 302. None of the funds provided in this Act may
5 be used during fiscal year 1996 to sign, promulgate, im-
6 plement or enforce the requirement proposed as “Regula-
7 tion of Fuels and Fuel Additives: Individual Foreign Re-
8 finery Baseline Requirements for Reformulated Gasoline”
9 at volume 59 of the Federal Register at pages 22800
10 through 22814.

11 SEC. 303. None of the funds appropriated to the En-
12 vironmental Protection Agency for fiscal year 1996 may
13 be used to implement section 404(c) of the Federal Water
14 Pollution Control Act, as amended. No pending action by
15 the Environmental Protection Agency to implement sec-
16 tion 404(c) with respect to an individual permit shall re-
17 main in effect after the date of enactment of this Act.

18 SEC. 304. None of the funds appropriated under this
19 Act may be used to implement the requirements of section
20 186(b)(2), section 187(b) or section 211(m) of the Clean
21 Air Act (42 U.S.C. 7512(b)(2), 7512a(b), or 7545(m))
22 with respect to any moderate nonattainment area in which
23 the average daily winter temperature is below 0 degrees
24 Fahrenheit. The preceding sentence shall not be inter-
25 preted to preclude assistance from the Environmental Pro-

1 tection Agency to the State of Alaska to make progress
2 toward meeting the carbon monoxide standard in such
3 areas and to resolve remaining issues regarding the use
4 of oxygenated fuels in such areas.

5 EXECUTIVE OFFICE OF THE PRESIDENT

6 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

7 For necessary expenses of the Office of Science and
8 Technology Policy, in carrying out the purposes of the Na-
9 tional Science and Technology Policy, Organization, and
10 Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire
11 of passenger motor vehicles, services as authorized by 5
12 U.S.C. 3109, not to exceed \$2,500 for official reception
13 and representation expenses, and rental of conference
14 rooms in the District of Columbia, \$4,981,000: *Provided*,
15 That the Office of Science and Technology Policy shall
16 reimburse other agencies for not less than one-half of the
17 personnel compensation costs of individuals detailed to it.

18 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF
19 ENVIRONMENTAL QUALITY

20 For necessary expenses to continue functions as-
21 signed to the Council on Environmental Quality and Office
22 of Environmental Quality pursuant to the National Envi-
23 ronmental Policy Act of 1969, the Environmental Im-
24 provement Act of 1970 and Reorganization Plan No. 1
25 of 1977, \$1,500,000.

1 meetings concerned with the work of emergency prepared-
2 ness; transportation in connection with the continuity of
3 Government programs to the same extent and in the same
4 manner as permitted the Secretary of a Military Depart-
5 ment under 10 U.S.C. 2632; and not to exceed \$2,500
6 for official reception and representation expenses;
7 \$168,900,000.

8 OFFICE OF THE INSPECTOR GENERAL

9 For necessary expenses of the Office of the Inspector
10 General in carrying out the provisions of the Inspector
11 General Act of 1978, as amended, \$4,673,000.

12 EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

13 For necessary expenses, not otherwise provided for,
14 to carry out activities under the National Flood Insurance
15 Act of 1968, as amended, and the Flood Disaster Protec-
16 tion Act of 1973, as amended (42 U.S.C. 4001 et seq.),
17 the Robert T. Stafford Disaster Relief and Emergency As-
18 sistance Act (42 U.S.C. 5121 et seq.), the Earthquake
19 Hazards Reduction Act of 1977, as amended (42 U.S.C.
20 7701 et seq.), the Federal Fire Prevention and Control
21 Act of 1974, as amended (15 U.S.C. 2201 et seq.), the
22 Defense Production Act of 1950, as amended (50 U.S.C.
23 App. 2061 et seq.), sections 107 and 303 of the National
24 Security Act of 1947, as amended (50 U.S.C. 404–405),
25 and Reorganization Plan No. 3 of 1978, \$203,044,000.

1 EMERGENCY FOOD AND SHELTER PROGRAM

2 There is hereby appropriated \$100,000,000 to the
3 Federal Emergency Management Agency to carry out an
4 emergency food and shelter program pursuant to title III
5 of Public Law 100–77, as amended: *Provided*, That total
6 administrative costs shall not exceed three and one-half
7 per centum of the total appropriation.

8 NATIONAL FLOOD INSURANCE FUND

9 For activities under the National Flood Insurance
10 Act of 1968, the Flood Disaster Protection Act of 1973,
11 and the National Flood Insurance Reform Act of 1994,
12 not to exceed \$20,562,000 for salaries and expenses asso-
13 ciated with flood mitigation and flood insurance oper-
14 ations, and not to exceed \$70,464,000 for flood mitigation,
15 including up to \$12,000,000 for expenses under section
16 1366 of the National Flood Insurance Act of 1968, as
17 amended, which amount shall be available until September
18 30, 1997. In fiscal year 1996, no funds in excess of (1)
19 \$47,000,000 for operating expenses, (2) \$292,526,000 for
20 agents' commissions and taxes, and (3) \$3,500,000 for in-
21 terest on Treasury borrowings shall be available from the
22 National Flood Insurance Fund without prior notice to the
23 Committees on Appropriations.

24 ADMINISTRATIVE PROVISION

25 The Director of the Federal Emergency Management
26 Agency shall promulgate through rulemaking a methodol-

1 ogy for assessment and collection of fees to be assessed
2 and collected beginning in fiscal year 1996 applicable to
3 persons subject to the Federal Emergency Management
4 Agency's radiological emergency preparedness regulations.
5 The aggregate charges assessed pursuant to this section
6 during fiscal year 1996 shall approximate, but not be less
7 than, 100 per centum of the amounts anticipated by the
8 Federal Emergency Management Agency to be obligated
9 for its radiological emergency preparedness program for
10 such fiscal year. The methodology for assessment and col-
11 lection of fees shall be fair and equitable, and shall reflect
12 the full amount of costs of providing radiological emer-
13 gency planning, preparedness, response and associated
14 services. Such fees will be assessed in a manner that re-
15 flects the use of agency resources for classes of regulated
16 persons and the administrative costs of collecting such
17 fees. Fees received pursuant to this section shall be depos-
18 ited in the general fund of the Treasury as offsetting re-
19 ceipts. Assessment and collection of such fees are only au-
20 thorized during fiscal year 1996.

21 GENERAL SERVICES ADMINISTRATION

22 CONSUMER INFORMATION CENTER

23 For necessary expenses of the Consumer Information
24 Center, including services authorized by 5 U.S.C. 3109,
25 \$2,061,000, to be deposited into the Consumer Informa-

1 tion Center Fund: *Provided*, That the appropriations, rev-
2 enues and collections deposited into the fund shall be
3 available for necessary expenses of Consumer Information
4 Center activities in the aggregate amount of \$7,500,000.
5 Administrative expenses of the Consumer Information
6 Center in fiscal year 1996 shall not exceed \$2,602,000.
7 Appropriations, revenues, and collections accruing to this
8 fund during fiscal year 1996 in excess of \$7,500,000 shall
9 remain in the fund and shall not be available for expendi-
10 ture except as authorized in appropriations Acts.

11 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

12 HUMAN SPACE FLIGHT

13 For necessary expenses, not otherwise provided for,
14 in the conduct and support of human space flight research
15 and development activities, including research; develop-
16 ment; operations; services; maintenance; construction of
17 facilities including repair, rehabilitation, and modification
18 of real and personal property, and acquisition or con-
19 demnation of real property, as authorized by law; space
20 flight, spacecraft control and communications activities in-
21 cluding operations, production, and services; and pur-
22 chase, lease, charter, maintenance, and operation of mis-
23 sion and administrative aircraft; \$5,456,600,000, to re-
24 main available until September 30, 1997.

1 SCIENCE, AERONAUTICS AND TECHNOLOGY

2 For necessary expenses, not otherwise provided for,
3 for the conduct and support of science, aeronautics, and
4 technology research and development activities, including
5 research; development; operations; services; maintenance;
6 construction of facilities including repair, rehabilitation
7 and modification of real and personal property, and acqui-
8 sition or condemnation of real property, as authorized by
9 law; space flight, spacecraft control and communications
10 activities including operations, production, and services;
11 and purchase, lease, charter, maintenance, and operation
12 of mission and administrative aircraft; \$5,845,900,000, to
13 remain available until September 30, 1997.

14 MISSION SUPPORT

15 For necessary expenses, not otherwise provided for,
16 in carrying out mission support for human space flight
17 programs and science, aeronautical, and technology pro-
18 grams, including research operations and support; space
19 communications activities including operations, produc-
20 tion, and services; maintenance; construction of facilities
21 including repair, rehabilitation, and modification of facili-
22 ties, minor construction of new facilities and additions to
23 existing facilities, facility planning and design, environ-
24 mental compliance and restoration, and acquisition or con-
25 demnation of real property, as authorized by law; program
26 management; personnel and related costs, including uni-

1 forms or allowances therefor, as authorized by law (5
2 U.S.C. 5901–5902); travel expenses; purchase, lease,
3 charter, maintenance, and operation of mission and ad-
4 ministrative aircraft; not to exceed \$35,000 for official re-
5 ception and representation expenses; and purchase (not to
6 exceed thirty-three for replacement only) and hire of pas-
7 senger motor vehicles; \$2,502,200,000, to remain avail-
8 able until September 30, 1997.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of the Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, as amended, \$16,000,000.

13 ADMINISTRATIVE PROVISIONS
14 (INCLUDING TRANSFER OF FUNDS)

15 Notwithstanding the limitation on the availability of
16 funds appropriated for “Human space flight”, “Science,
17 aeronautics and technology”, or “Mission support” by this
18 appropriations Act, when any activity has been initiated
19 by the incurrence of obligations for construction of facili-
20 ties as authorized by law, the amount available for such
21 activity shall remain available until expended. This provi-
22 sion does not apply to the amounts appropriated in “Mis-
23 sion support” pursuant to the authorization for repair, re-
24 habilitation and modification of facilities, minor construc-
25 tion of new facilities and additions to existing facilities,
26 and facility planning and design.

1 Notwithstanding the limitation on the availability of
2 funds appropriated for “Human space flight”, “Science,
3 aeronautics and technology”, or “Mission support” by this
4 appropriations Act, the amounts appropriated for con-
5 struction of facilities shall remain available until Septem-
6 ber 30, 1998.

7 Notwithstanding the limitation on the availability of
8 funds appropriated for “Mission support” and “Office of
9 Inspector General”, amounts made available by this Act
10 for personnel and related costs and travel expenses of the
11 National Aeronautics and Space Administration shall re-
12 main available until September 30, 1996 and may be used
13 to enter into contracts for training, investigations, cost as-
14 sociated with personnel relocation, and for other services,
15 to be provided during the next fiscal year.

16 The unexpired balances of prior appropriations to
17 NASA for activities for which funds are provided under
18 this Act may be transferred to the new account established
19 for the appropriation that provides funds for such activity
20 under this Act. Balances so transferred may be merged
21 with funds in the newly established account and thereafter
22 may be accounted for as one fund to be available for the
23 same purposes and under the same terms and conditions.

24 Upon the determination by the Administrator that
25 such action is necessary, the Administrator may, with the

1 approval of the Office of Management and Budget, trans-
2 fer not to exceed \$50,000,000 of funds made available in
3 this Act to the National Aeronautics and Space Adminis-
4 tration between such appropriations or any subdivision
5 thereof, to be merged with and to be available for the same
6 purposes, and for the same time period, as the appropria-
7 tion to which transferred: *Provided*, That such authority
8 to transfer may not be used unless for higher priority
9 items, based on unforeseen requirements, than those for
10 which originally appropriated: *Provided further*, That the
11 Administrator of the National Aeronautics and Space Ad-
12 ministration shall notify the Congress promptly of all
13 transfers made pursuant to this authority.

14 NATIONAL CREDIT UNION ADMINISTRATION

15 CENTRAL LIQUIDITY FACILITY

16 During fiscal year 1996, gross obligations of the
17 Central Liquidity Facility for the principal amount of new
18 direct loans to member credit unions as authorized by the
19 National Credit Union Central Liquidity Facility Act (12
20 U.S.C. 1795) shall not exceed \$600,000,000: *Provided*,
21 That administrative expenses of the Central Liquidity Fa-
22 cility in fiscal year 1996 shall not exceed \$560,000.

1 NATIONAL SCIENCE FOUNDATION
2 RESEARCH AND RELATED ACTIVITIES

3 For necessary expenses in carrying out the purposes
4 of the National Science Foundation Act of 1950, as
5 amended (42 U.S.C. 1861–1875), and the Act to establish
6 a National Medal of Science (42 U.S.C. 1880–1881); serv-
7 ices as authorized by 5 U.S.C. 3109; maintenance and op-
8 eration of aircraft and purchase of flight services for re-
9 search support; acquisition of aircraft; \$2,274,000,000, of
10 which not to exceed \$235,000,000 shall remain available
11 until expended for Polar research and operations support,
12 and for reimbursement to other Federal agencies for oper-
13 ational and science support and logistical and other relat-
14 ed activities for the United States Antarctic program; the
15 balance to remain available until September 30, 1997:
16 *Provided*, That receipts for scientific support services and
17 materials furnished by the National Research Centers and
18 other National Science Foundation supported research fa-
19 cilities may be credited to this appropriation: *Provided fur-*
20 *ther*, That to the extent that the amount appropriated is
21 less than the total amount authorized to be appropriated
22 for included program activities, all amounts, including
23 floors and ceilings, specified in the authorizing Act for
24 those program activities or their subactivities shall be re-
25 duced proportionally.

1 MAJOR RESEARCH EQUIPMENT

2 For necessary expenses in carrying out major con-
3 struction projects, and related expenses, pursuant to the
4 purposes of the National Science Foundation Act of 1950,
5 as amended (42 U.S.C. 1861–1875), \$70,000,000, to re-
6 main available until expended.

7 ACADEMIC RESEARCH INFRASTRUCTURE

8 For necessary expenses in carrying out an academic
9 research infrastructure program pursuant to the purposes
10 of the National Science Foundation Act of 1950, as
11 amended (42 U.S.C. 1861–1875), including services as
12 authorized by 5 U.S.C. 3109 and rental of conference
13 rooms in the District of Columbia, \$100,000,000, to re-
14 main available until September 30, 1997.

15 EDUCATION AND HUMAN RESOURCES

16 For necessary expenses in carrying out science and
17 engineering education and human resources programs and
18 activities pursuant to the purposes of the National Science
19 Foundation Act of 1950, as amended (42 U.S.C. 1861–
20 1875), including services as authorized by 5 U.S.C. 3109
21 and rental of conference rooms in the District of Colum-
22 bia, \$599,000,000, to remain available until September
23 30, 1997: *Provided*, That to the extent that the amount
24 of this appropriation is less than the total amount author-
25 ized to be appropriated for included program activities, all
26 amounts, including floors and ceilings, specified in the au-

1 thorizing Act for those program activities or their
2 subactivities shall be reduced proportionally.

3 SALARIES AND EXPENSES

4 For necessary salaries and expenses in carrying out
5 the purposes of the National Science Foundation Act of
6 1950, as amended (42 U.S.C. 1861–1875); services au-
7 thorized by 5 U.S.C. 3109; hire of passenger motor vehi-
8 cles; not to exceed \$9,000 for official reception and rep-
9 resentation expenses; uniforms or allowances therefor, as
10 authorized by law (5 U.S.C. 5901–5902); rental of con-
11 ference rooms in the District of Columbia; reimbursement
12 of the General Services Administration for security guard
13 services; \$127,310,000: *Provided*, That contracts may be
14 entered into under salaries and expenses in fiscal year
15 1996 for maintenance and operation of facilities, and for
16 other services, to be provided during the next fiscal year.

17 OFFICE OF INSPECTOR GENERAL

18 For necessary expenses of the Office of Inspector
19 General in carrying out the provisions of the Inspector
20 General Act of 1978, as amended, \$4,490,000, to remain
21 available until September 30, 1997.

22 NATIONAL SCIENCE FOUNDATION HEADQUARTERS

23 RELOCATION

24 For necessary support of the relocation of the Na-
25 tional Science Foundation, \$5,200,000: *Provided*, That
26 these funds shall be used to reimburse the General Serv-

1 ices Administration for services and related acquisitions
2 in support of relocating the National Science Foundation.

3 NEIGHBORHOOD REINVESTMENT CORPORATION
4 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
5 CORPORATION

6 For payment to the Neighborhood Reinvestment Cor-
7 poration for use in neighborhood reinvestment activities,
8 as authorized by the Neighborhood Reinvestment Corpora-
9 tion Act (42 U.S.C. 8101–8107), \$38,667,000.

10 SELECTIVE SERVICE SYSTEM
11 SALARIES AND EXPENSES

12 For necessary expenses of the Selective Service Sys-
13 tem, including expenses of attendance at meetings and of
14 training for uniformed personnel assigned to the Selective
15 Service System, as authorized by law (5 U.S.C. 4101–
16 4118) for civilian employees; and not to exceed \$1,000 for
17 official reception and representation expenses;
18 \$22,930,000: *Provided*, That during the current fiscal
19 year, the President may exempt this appropriation from
20 the provisions of 31 U.S.C. 1341, whenever he deems such
21 action to be necessary in the interest of national defense:
22 *Provided further*, That none of the funds appropriated by
23 the Act may be expended for or in connection with the
24 induction of any person into the Armed Forces of the
25 United States.

1 TITLE IV
2 CORPORATIONS

3 Corporations and agencies of the Department of
4 Housing and Urban Development which are subject to the
5 Government Corporation Control Act, as amended, are
6 hereby authorized to make such expenditures, within the
7 limits of funds and borrowing authority available to each
8 such corporation or agency and in accord with law, and
9 to make such contracts and commitments without regard
10 to fiscal year limitations as provided by section 104 of the
11 Act as may be necessary in carrying out the programs set
12 forth in the budget for 1996 for such corporation or agen-
13 cy except as hereinafter provided: *Provided*, That collec-
14 tions of these corporations and agencies may be used for
15 new loan or mortgage purchase commitments only to the
16 extent expressly provided for in this Act (unless such loans
17 are in support of other forms of assistance provided for
18 in this or prior appropriations Acts), except that this pro-
19 viso shall not apply to the mortgage insurance or guaranty
20 operations of these corporations, or where loans or mort-
21 gage purchases are necessary to protect the financial in-
22 terest of the United States Government.

1 RESOLUTION TRUST CORPORATION

2 OFFICE OF INSPECTOR GENERAL

3 For necessary expenses of the Office of Inspector
4 General in carrying out the provisions of the Inspector
5 General Act of 1978, as amended, \$11,400,000.

6 TITLE V

7 GENERAL PROVISIONS

8 SEC. 501. Where appropriations in titles I, II, and
9 III of this Act are expendable for travel expenses and no
10 specific limitation has been placed thereon, the expendi-
11 tures for such travel expenses may not exceed the amounts
12 set forth therefor in the budget estimates submitted for
13 the appropriations: *Provided*, That this section shall not
14 apply to travel performed by uncompensated officials of
15 local boards and appeal boards of the Selective Service
16 System; to travel performed directly in connection with
17 care and treatment of medical beneficiaries of the Depart-
18 ment of Veterans Affairs; to travel performed in connec-
19 tion with major disasters or emergencies declared or deter-
20 mined by the President under the provisions of the Robert
21 T. Stafford Disaster Relief and Emergency Assistance
22 Act; to travel performed by the Offices of Inspector Gen-
23 eral in connection with audits and investigations; or to
24 payments to interagency motor pools where separately set
25 forth in the budget schedules: *Provided further*, That if

1 appropriations in titles I, II, and III exceed the amounts
2 set forth in budget estimates initially submitted for such
3 appropriations, the expenditures for travel may cor-
4 respondingly exceed the amounts therefor set forth in the
5 estimates in the same proportion.

6 SEC. 502. Appropriations and funds available for the
7 administrative expenses of the Department of Housing
8 and Urban Development and the Selective Service System
9 shall be available in the current fiscal year for purchase
10 of uniforms, or allowances therefor, as authorized by law
11 (5 U.S.C. 5901–5902); hire of passenger motor vehicles;
12 and services as authorized by 5 U.S.C. 3109.

13 SEC. 503. Funds of the Department of Housing and
14 Urban Development subject to the Government Corpora-
15 tion Control Act or section 402 of the Housing Act of
16 1950 shall be available, without regard to the limitations
17 on administrative expenses, for legal services on a contract
18 or fee basis, and for utilizing and making payment for
19 services and facilities of Federal National Mortgage Asso-
20 ciation, Government National Mortgage Association, Fed-
21 eral Home Loan Mortgage Corporation, Federal Financ-
22 ing Bank, Resolution Trust Corporation, Federal Reserve
23 banks or any member thereof, Federal Home Loan banks,
24 and any insured bank within the meaning of the Federal

1 Deposit Insurance Corporation Act, as amended (12
2 U.S.C. 1811–1831).

3 SEC. 504. No part of any appropriation contained in
4 this Act shall remain available for obligation beyond the
5 current fiscal year unless expressly so provided herein.

6 SEC. 505. No funds appropriated by this Act may be
7 expended—

8 (1) pursuant to a certification of an officer or
9 employee of the United States unless—

10 (A) such certification is accompanied by,
11 or is part of, a voucher or abstract which de-
12 scribes the payee or payees and the items or
13 services for which such expenditure is being
14 made, or

15 (B) the expenditure of funds pursuant to
16 such certification, and without such a voucher
17 or abstract, is specifically authorized by law;
18 and

19 (2) unless such expenditure is subject to audit
20 by the General Accounting Office or is specifically
21 exempt by law from such audit.

22 SEC. 506. None of the funds provided in this Act to
23 any department or agency may be expended for the trans-
24 portation of any officer or employee of such department
25 or agency between his domicile and his place of employ-

1 ment, with the exception of any officer or employee au-
2 thorized such transportation under title 31, United States
3 Code, section 1344.

4 SEC. 507. None of the funds provided in this Act may
5 be used for payment, through grants or contracts, to re-
6 cipients that do not share in the cost of conducting re-
7 search resulting from proposals not specifically solicited
8 by the Government: *Provided*, That the extent of cost
9 sharing by the recipient shall reflect the mutuality of in-
10 terest of the grantee or contractor and the Government
11 in the research.

12 SEC. 508. None of the funds provided in this Act may
13 be used, directly or through grants, to pay or to provide
14 reimbursement for payment of the salary of a consultant
15 (whether retained by the Federal Government or a grant-
16 ee) at more than the daily equivalent of the rate paid for
17 Level IV of the Executive Schedule, unless specifically au-
18 thorized by law.

19 SEC. 509. None of the funds in this Act shall be used
20 to pay the expenses of, or otherwise compensate, non-Fed-
21 eral parties intervening in regulatory or adjudicatory pro-
22 ceedings. Nothing herein affects the authority of the
23 Consumer Product Safety Commission pursuant to section
24 7 of the Consumer Product Safety Act (15 U.S.C. 2056
25 et seq.).

1 SEC. 510. Except as otherwise provided under exist-
2 ing law or under an existing Executive order issued pursu-
3 ant to an existing law, the obligation or expenditure of
4 any appropriation under this Act for contracts for any
5 consulting service shall be limited to contracts which are
6 (1) a matter of public record and available for public in-
7 spection, and (2) thereafter included in a publicly available
8 list of all contracts entered into within twenty-four months
9 prior to the date on which the list is made available to
10 the public and of all contracts on which performance has
11 not been completed by such date. The list required by the
12 preceding sentence shall be updated quarterly and shall
13 include a narrative description of the work to be per-
14 formed under each such contract.

15 SEC. 511. Except as otherwise provided by law, no
16 part of any appropriation contained in this Act shall be
17 obligated or expended by any executive agency, as referred
18 to in the Office of Federal Procurement Policy Act (41
19 U.S.C. 401 et seq.) for a contract for services unless such
20 executive agency (1) has awarded and entered into such
21 contract in full compliance with such Act and the regula-
22 tions promulgated thereunder, and (2) requires any report
23 prepared pursuant to such contract, including plans, eval-
24 uations, studies, analyses and manuals, and any report
25 prepared by the agency which is substantially derived from

1 or substantially includes any report prepared pursuant to
2 such contract, to contain information concerning (A) the
3 contract pursuant to which the report was prepared, and
4 (B) the contractor who prepared the report pursuant to
5 such contract.

6 SEC. 512. Except as otherwise provided in section
7 506, none of the funds provided in this Act to any depart-
8 ment or agency shall be obligated or expended to provide
9 a personal cook, chauffeur, or other personal servants to
10 any officer or employee of such department or agency.

11 SEC. 513. None of the funds provided in this Act to
12 any department or agency shall be obligated or expended
13 to procure passenger automobiles as defined in 15 U.S.C.
14 2001 with an EPA estimated miles per gallon average of
15 less than 22 miles per gallon.

16 SEC. 514. Such sums as may be necessary for fiscal
17 year 1996 pay raises for programs funded by this Act shall
18 be absorbed within the levels appropriated in this Act.

19 SEC. 515. None of the funds appropriated in title I
20 of this Act shall be used to enter into any new lease of
21 real property if the estimated annual rental is more than
22 \$300,000 unless the Secretary submits, in writing, a re-
23 port to the Committees on Appropriations of the Congress
24 and a period of 30 days has expired following the date

1 on which the report is received by the Committees on Ap-
2 propriations.

3 SEC. 516. (a) PURCHASE OF AMERICAN-MADE
4 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-
5 gress that, to the greatest extent practicable, all equip-
6 ment and products purchased with funds made available
7 in this Act should be American-made.

8 (b) NOTICE REQUIREMENT.—In providing financial
9 assistance to, or entering into any contract with, any en-
10 tity using funds made available in this Act, the head of
11 each Federal agency, to the greatest extent practicable,
12 shall provide to such entity a notice describing the state-
13 ment made in subsection (a) by the Congress.

14 SEC. 517. None of the funds appropriated in this Act
15 may be used to implement any cap on reimbursements to
16 grantees for indirect costs, except as published in Office
17 of Management and Budget Circular A–21.

18 SEC. 518. None of the funds made available in this
19 Act may be used for any program, project, or activity,
20 when it is made known to the Federal entity or official
21 to which the funds are made available that the program,
22 project, or activity is not in compliance with any Federal
23 law relating to risk assessment, the protection of private
24 property rights, or unfunded mandates.

1 SEC. 519. In fiscal year 1996, the Director of the
2 Federal Emergency Management Agency shall sell the dis-
3 aster housing inventory of mobile homes and trailers, and
4 the proceeds thereof shall be deposited in the Treasury.

5 SEC. 520. Such funds as may be necessary to carry
6 out the orderly termination of the Office of Consumer Af-
7 fairs shall be made available from funds appropriated to
8 the Department of Health and Human Services for fiscal
9 year 1996.

10 This Act may be cited as the “Departments of Veter-
11 ans Affairs and Housing and Urban Development, and
12 Independent Agencies Appropriations Act, 1996”.

13 SEC. 102. Unless otherwise provided for in this title
14 of this Act or in the applicable appropriations Act, appro-
15 priations and funds made available and authority granted
16 pursuant to this title of this Act shall be available until
17 (a) the enactment into law of an appropriation for any
18 project or activity provided for in this title of this Act,
19 or (b) the enactment into law of the applicable appropria-
20 tions Act by both Houses without any provision for such
21 project or activity, or (c) September 30, 1996, whichever
22 first occurs.

23 SEC. 103. Appropriations made and authority grant-
24 ed pursuant to this title of this Act shall cover all obliga-
25 tions or expenditures incurred for any program, project,

1 or activity during the period for which funds or authority
2 for such project or activity are available under this title
3 of this Act.

4 SEC. 104. Expenditures made pursuant to this title
5 of this Act shall be charged to the applicable appropria-
6 tion, fund, or authorization whenever a bill in which such
7 applicable appropriation, fund, or authorization is con-
8 tained is enacted into law.

9 SEC. 105. Upon enactment of this Act, the following
10 provisions of Public Law 104–99, Public Law 104–92, and
11 Public Law 104–91 that would continue to have effect
12 after March 15, 1996, are superseded: section 101 of Pub-
13 lic Law 104–92; section 101(a) of Public Law 104–91,
14 as amended, except the paragraphs dealing with funding
15 of National Institutes of Health activities and Centers for
16 Disease Control and Prevention activities, and except for
17 the general provisions enacted in the amendment to Public
18 Law 104–91 included in Public Law 104–99; and sections
19 123, 124, and 201 of Public Law 104–99.

20 SEC. 106. Section 119 of Public Law 104–99 is here-
21 by repealed.

22 SEC. 107. Title I of Public Law 104–52 is hereby
23 amended by deleting “, not to exceed \$1,406,000,” under
24 the heading “CUSTOMS SERVICES AT SMALL AIRPORTS”.

1 SEC. 108. Title I of Public Law 104–52 is hereby
2 amended by adding the following new section under the
3 heading “ADMINISTRATIVE PROVISIONS—INTERNAL REV-
4 ENUE SERVICE”:

5 “SEC. 3. The funds provided in this Act shall be used
6 to provide a level of service, staffing, and funding for Tax-
7 payer Services Division operations which is not less than
8 that provided in fiscal year 1995.”.

9 SEC. 109. Title III of Public Law 104–52 is hereby
10 amended by adding the following proviso before the last
11 period under the heading “OFFICE OF NATIONAL DRUG
12 CONTROL POLICY, SALARIES AND EXPENSES”: “: *Provided*,
13 That of the amounts available to the Counter-Drug Tech-
14 nology Assessment Center, no less than \$1,000,000 shall
15 be dedicated to conferences on model state drug laws”.

16 SEC. 110. Subsection (b) of section 347 of Public
17 Law 104–50 is hereby amended by inserting after “(4)
18 section 7204, relating to antidiscrimination;” the follow-
19 ing: “(5) chapter 71, relating to labor-management rela-
20 tions;” and by renumbering items (5), (6), and (7) as
21 items (6), (7), and (8) respectively.

22 SEC. 111. EXPORTATION OF DRUGS AND DEVICES.—

23 (a) REFERENCE.—Whenever in this section (other
24 than subsection (f)) an amendment or repeal is expressed
25 in terms of an amendment to, or repeal of, a section or

1 other provision, the reference shall be considered to be
2 made to a section or other provision of the Federal Food,
3 Drug, and Cosmetic Act.

4 (b) SECTION 801(d).—Section 801(d) (21 U.S.C.
5 381(d)) is amended by adding at the end the following:

6 “(3) No component, part, or accessory of a drug (in-
7 cluding a biological product or a drug in bulk form), de-
8 vice, food, or food additive shall be excluded from importa-
9 tion into the United States under subsection (a), if such
10 component, part, or accessory will be incorporated into the
11 drug, device, food, or food additive that will be exported
12 from the United States in accordance with subsection
13 (e)(1) or section 802 or section 351(h) of the Public
14 Health Service Act. A person shall maintain a record of
15 the import and export of such drug, device, food, or food
16 additive.”.

17 (c) SECTION 801(e)(1).—Section 801(e)(1) (21
18 U.S.C. 381(e)(1)) is amended—

19 (1) by amending the matter preceding subpara-
20 graph (A) to read as follows:

21 “(e)(1) A food, drug (including a biological product),
22 device, or cosmetic intended for export shall not be deemed
23 to be adulterated or misbranded, to be in violation of sec-
24 tion 404, 505, or 512, or to be an unlicensed biological

1 product under section 351 of the Public Health Service
2 Act if—”; and

3 (2) by striking the second sentence.

4 (d) SECTION 801(e)(2).—Section 801(e)(2) (21
5 U.S.C. 381(e)(2)) is amended to read as follows:

6 “(2) Any person who exports a drug or device
7 under this subsection or section 802 may request
8 that the Secretary certify in writing that the export
9 is legal upon a showing that the requirements for
10 the export of such drug or device have been satis-
11 fied. The Secretary shall issue such a written export
12 certification within 10 days of the receipt of a re-
13 quest for such certification. A fee for such certifi-
14 cation may be charged but shall not exceed \$100 for
15 each. The fees shall be retained by the agency to be
16 used to cover expenses.

17 (e) SECTION 802.—Section 802 (21 U.S.C. 382) is
18 amended to read as follows:

19 “SEC. 802. (a) A drug (including a biological prod-
20 uct) intended for human or animal use or a device in-
21 tended for human use—

22 “(1) which, in the case of a drug—

23 “(A)(i) requires approval by the Secretary
24 under section 505 or section 512 before it may

1 be introduced or delivered for introduction into
2 interstate commerce; or

3 “(ii) requires licensing by the Secretary
4 under section 351 of the Public Health Service
5 Act or by the Secretary of Agriculture under
6 the Act of March 4, 1913 (known as the Virus-
7 Serum Toxin Act) before it may be introduced
8 or delivered for introduction into interstate
9 commerce; and

10 “(B) does not have such approval or li-
11 cense, which is not exempt from such sections
12 or Act, and which is introduced or delivered for
13 introduction into interstate commerce, or

14 “(2) which, in the case of a device—

15 “(A) does not comply with an applicable
16 requirement under section 514 or 515,

17 “(B) is exempt from section 514 or 515
18 under section 520(g), or

19 “(C) is a banned device under section 516,
20 may only be exported under subsection (b) or (c).

21 “(b) Except as otherwise provided in this section, a
22 drug (including a biological product) or device, referred
23 to in subsection (a), may be exported to any country, if
24 the drug or device complies with the laws in any of the
25 following—

1 “(1) Australia, Canada, Israel, Japan. New
2 Zealand, Switzerland, or South Africa; or

3 “(2) a country in the European Union or a
4 country in the European Economic Area (the coun-
5 tries in the European Union and the European Free
6 Trade Association) and where such drug, device,
7 food or food additive is exported for the purpose of
8 marketing, the drug, device, food or food additive
9 has valid marketing authorization by the appropriate
10 approval authority from the country in which it shall
11 be marketed.

12 “(c)(1) A person who intends to export an unap-
13 proved drug (including a biological product) or device not
14 eligible for export under subsection (b) shall submit to the
15 Secretary a notification of intent to export which shall—

16 “(A) identify the drug or device to be exported
17 and the intended use of the product in the county
18 to which it is to be exported; and

19 “(B) contain a certification by such person that
20 such person will export the drug or device only to a
21 country where the drug or device is permitted for
22 general use, investigational research, or non-clinical
23 experimental research.

24 “(2) Within 45 days of the receipt under paragraph
25 (1) of a notification of an intent to export, the Secretary

1 shall issue to the person who submitted such notice an
2 order denying the request for export if—

3 “(A) the notification does not meet the require-
4 ments of paragraph (1); or

5 “(B) the proposed intended use of the exported
6 drug or device poses an imminent hazard to the
7 health of individuals, taking into account the risks
8 of not using the product in diagnosis or treatment,
9 and the finding of such hazard is based upon credi-
10 ble scientific evidence.

11 If the Secretary does not respond to such a notice within
12 45 days of its receipt, the person who submitted such no-
13 tice may proceed with the export of the drug or device
14 covered by such notice.

15 “(3) if the Secretary denies a request for export of
16 a drug or device under paragraph (2), the Secretary shall
17 immediately prohibit the export of the drug or device and
18 afford such person an opportunity for an informal hearing
19 on the denial. If the denial is based upon a finding of im-
20 minent hazard, such informal hearing shall be before the
21 Commissioner and the Secretary may not delegate the au-
22 thority of the Commissioner.

23 “(d) A drug or device intended for formulation, fill-
24 ing, packaging, labeling, or other processing in anticipa-
25 tion of market authorization in any country described in

1 subsection (b) may be exported in accordance with the
2 laws of that country.”.

3 “(f) PARTIALLY PROCESSED BIOLOGICAL PROD-
4 UCTS.—Subsection (h) of section 351 of the Public Health
5 Service Act (42 U.S.C. 262) is amended to read as follows:

6 “(h) A partially-processed biological product which—

7 “(1) is not in a form applicable to the preven-
8 tion, treatment, or cure of diseases or injuries of
9 man;

10 “(2) is not intended for sale in the United
11 States; and

12 “(3) is intended for further manufacture into
13 final dosage form outside the United States,

14 shall be subject to no restriction on the export of the prod-
15 uct under this Act or the Federal Food, Drug, and Cos-
16 metic Act (21 U.S.C. 321 et seq.) if the product meets
17 the requirements of section 801(e)(1) of the Federal Food,
18 Drug, and Cosmetic Act (21 U.S.C. 381(e)(1)).”.

1 TITLE II
2 EMERGENCY PEACEKEEPING APPROPRIATIONS
3 CHAPTER I
4 DEPARTMENT OF STATE
5 ADMINISTRATION OF FOREIGN AFFAIRS
6 DIPLOMATIC AND CONSULAR PROGRAMS

7 For an additional amount for “Diplomatic and Con-
8 sular Programs” to provide for administrative expenses re-
9 lated to activities in Bosnia and Herzegovina, \$2,000,000,
10 notwithstanding section 15 of the State Department Basic
11 Authorities Act of 1956: *Provided*, That the entire amount
12 is designated by Congress as an emergency requirement
13 pursuant to section 251(b)(2)(D)(i) of the Balanced
14 Budget and Emergency Deficit Control Act of 1985, as
15 amended.

16 RELATED AGENCIES
17 UNITED STATES INFORMATION AGENCY
18 SALARIES AND EXPENSES

19 For an additional amount for “Salaries and Ex-
20 penses”, \$1,000,000, to remain available until expended,
21 to be used for United States Information Agency activities
22 in Bosnia and Herzegovina, notwithstanding section 701
23 of the United States Information and Educational Ex-
24 change Act of 1948: *Provided*, That the entire amount is
25 designated by Congress as an emergency requirement pur-

1 suant to section 251(b)(2)(D)(i) of the Balanced Budget
2 and Emergency Deficit Control Act of 1985, as amended.

3 CHAPTER II

4 FOREIGN OPERATIONS, EXPORT FINANCING,
5 AND RELATED PROGRAMS

6 FUNDS APPROPRIATED TO THE PRESIDENT
7 AGENCY FOR INTERNATIONAL DEVELOPMENT
8 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
9 STATES

10 (INCLUDING TRANSFERS OF FUNDS)

11 For an additional amount for “Assistance for East-
12 ern Europe and the Baltic States” for Bosnia and
13 Herzegovina, including demining assistance,
14 \$197,000,000, to remain available until December 31,
15 1996: *Provided*, That of the funds appropriated under this
16 heading by this Act that are made available for the eco-
17 nomic revitalization program in Bosnia and Herzegovina,
18 not less than 75 percent shall be obligated and expended
19 for programs, projects, and activities, within the sector as-
20 signed to American forces of the military Implementation
21 Force (IFOR) established by the North Atlantic Council
22 pursuant to the General Framework Agreement for Peace
23 in Bosnia and Herzegovina: *Provided further*, That none
24 of the funds appropriated under this heading by this Act
25 shall be made available for the construction of new hous-

1 ing or residences in Bosnia and Herzegovina: *Provided*
2 *further*, That not to exceed \$5,000,000 of the funds appro-
3 priated under this heading in Public Law 104–107 may
4 be transferred to “Debt Restructuring” to be made avail-
5 able only for the cost, as defined in section 502 of the
6 Congressional Budget Act of 1974, of modifying direct
7 loans and loan guarantees, notwithstanding any other pro-
8 vision of law: *Provided further*, That \$5,000,000 shall be
9 transferred to “Foreign Military Financing Program” for
10 demining activities for Bosnia and Herzegovina: *Provided*
11 *further*, That \$2,000,000 of the funds appropriated under
12 this heading in Public Law 104–107 shall be transferred
13 to “Operating Expenses of the Agency for International
14 Development” for administrative expenses: *Provided fur-*
15 *ther*, That the additional amount appropriated herein is
16 designated by Congress as an emergency requirement pur-
17 suant to section 251(b)(2)(D)(i) of the Balanced Budget
18 and Emergency Deficit Control Act of 1985, as amended:
19 *Provided further*, That, notwithstanding any other provi-
20 sion of law including any provision of Public Law 104–
21 107, funds appropriated under this heading by this Act
22 that are made available for economic revitalization shall
23 not be available for obligation and expenditure unless the
24 President determines and certifies to the Congress that
25 the Government of the Federation of Bosnia and

1 Herzegovina has substantially complied with article III of
2 Annex 1–A of the General Framework Agreement for
3 Peace in Bosnia and Herzegovina concerning the with-
4 drawal of foreign forces, including advisers, freedom fight-
5 ers, trainers, volunteers, and personnel from neighboring
6 and other nations: *Provided further*, That with regard to
7 funds appropriated under this heading by this Act (and
8 local currencies generated by such funds) that are made
9 available for economic revitalization, the Administrator of
10 the Agency for International Development shall provide
11 written approval for grants and loans prior to the obliga-
12 tion and expenditure of funds for such purposes: *Provided*
13 *further*, That with regard to funds appropriated under this
14 heading by this Act (and local currencies generated by
15 such funds) that are made available for economic revital-
16 ization, the Administrator of the Agency for International
17 Development shall provide written approval for the use of
18 funds that have been returned or repaid to any lending
19 facility and grantee under the economic revitalization pro-
20 gram prior to the use of such returned or repaid funds.

21 MILITARY ASSISTANCE

22 FOREIGN MILITARY FINANCING PROGRAM

23 For an additional amount for “Foreign Military Fi-
24 nancing Program” for grants for Jordan pursuant to sec-
25 tion 23 of the Arms Export Control Act, \$70,000,000:

1 *Provided*, That such funds may be used for Jordan to fi-
2 nance transfers by lease of defense articles under chapter
3 6 of such Act.

4 EXPORT AND INVESTMENT ASSISTANCE

5 EXPORT-IMPORT BANK OF THE UNITED STATES

6 SUBSIDY APPROPRIATION

7 (RESCISSION)

8 Of the unobligated balances available under this
9 heading, \$41,000,000 are rescinded.

10 CHAPTER III

11 DEPARTMENT OF DEFENSE

12 MILITARY CONSTRUCTION

13 For an additional amount for “North Atlantic Treaty
14 Organization Security Investment Program”, \$37,500,000
15 to remain available until expended: *Provided*, That the
16 Secretary of Defense may make additional contributions
17 for the North Atlantic Treaty Organization as provided
18 in section 2806 of title 10, United States Code: *Provided*
19 *further*, That such amount is designated by Congress as
20 an emergency requirement pursuant to section
21 251(b)(2)(D)(i) of the Balanced Budget and Emergency
22 Deficit Control Act of 1985, as amended.

CHAPTER IV

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

1
2 For an additional amount for “Military Personnel,
3 Army”, \$262,200,000: *Provided*, That such amount is des-
4 ignated by Congress as an emergency requirement pursu-
5 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
6 Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, NAVY

7
8 For an additional amount for “Military Personnel,
9 Navy”, \$11,800,000: *Provided*, That such amount is des-
10 ignated by Congress as an emergency requirement pursu-
11 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
12 Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, MARINE CORPS

13
14 For an additional amount for “Military Personnel,
15 Marine Corps”, \$2,700,000: *Provided*, That such amount
16 is designated by Congress as an emergency requirement
17 pursuant to section 251(b)(2)(D)(i) of the Balanced
18 Budget and Emergency Deficit Control Act of 1985, as
19 amended.

MILITARY PERSONNEL, AIR FORCE

20
21 For an additional amount for “Military Personnel,
22 Air Force”, \$33,700,000: *Provided*, That such amount is
23

1 designated by Congress as an emergency requirement pur-
2 suant to section 251(b)(2)(D)(i) of the Balanced Budget
3 and Emergency Deficit Control Act of 1985, as amended.

4 OPERATION AND MAINTENANCE

5 OPERATION AND MAINTENANCE, ARMY

6 For an additional amount for “Operation and Main-
7 tenance, Army”, \$235,200,000: *Provided*, That such
8 amount is designated by Congress as an emergency re-
9 quirement pursuant to section 251(b)(2)(D)(i) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985,
11 as amended.

12 OPERATION AND MAINTENANCE, MARINE CORPS

13 For an additional amount for “Operation and Main-
14 tenance, Marine Corps”, \$900,000: *Provided*, That such
15 amount is designated by Congress as an emergency re-
16 quirement pursuant to section 251(b)(2)(D)(i) of the Bal-
17 anced Budget and Emergency Deficit Control Act of 1985,
18 as amended.

19 OPERATION AND MAINTENANCE, AIR FORCE

20 For an additional amount for “Operation and Main-
21 tenance, Air Force”, \$130,200,000: *Provided*, That such
22 amount is designated by Congress as an emergency re-
23 quirement pursuant to section 251(b)(2)(D)(i) of the Bal-
24 anced Budget and Emergency Deficit Control Act of 1985,
25 as amended.

1 OPERATION AND MAINTENANCE, DEFENSE-WIDE

2 For an additional amount for “Operation and Main-
3 tenance, Defense-Wide”, \$79,800,000: *Provided*, That
4 such amount is designated by Congress as an emergency
5 requirement pursuant to section 251(b)(2)(D)(i) of the
6 Balanced Budget and Emergency Deficit Control Act of
7 1985, as amended.

8 PROCUREMENT

9 OTHER PROCUREMENT, AIR FORCE

10 For an additional amount for “Other Procurement,
11 Air Force”, \$26,000,000: *Provided*, That such amount is
12 designated by Congress as an emergency requirement pur-
13 suant to section 251(b)(2)(D)(i) of the Balanced Budget
14 and Emergency Deficit Control Act of 1985, as amended.

15 RESCISSIONS

16 PROCUREMENT

17 MISSILE PROCUREMENT, AIR FORCE

18 (RESCISSION)

19 Of the funds made available under this heading in
20 Public Law 103–335, \$310,000,000 are rescinded.

21 OTHER PROCUREMENT, AIR FORCE

22 (RESCISSION)

23 Of the funds made available under this heading in
24 Public Law 103–335, \$265,000,000 are rescinded.

1 RESEARCH, DEVELOPMENT, TEST AND
2 EVALUATION

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
4 ARMY
5 (RESCISSION)

6 Of the funds made available under this heading in
7 Public Law 104–61, \$9,750,000 are rescinded: *Provided*,
8 That this reduction shall be applied proportionally to each
9 budget activity, activity group and subactivity group and
10 each program, project, and activity within this appropria-
11 tion account.

12 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
13 NAVY
14 (RESCISSION)

15 Of the funds made available under this heading in
16 Public Law 104–61, \$17,500,000 are rescinded: *Provided*,
17 That this reduction shall be applied proportionally to each
18 budget activity, activity group and subactivity group and
19 each program, project, and activity within this appropria-
20 tion account.

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
22 AIR FORCE
23 (RESCISSIONS)

24 Of the funds made available under this heading in
25 Public Law 103–335, \$245,000,000 are rescinded.

1 other natural disasters, \$24,800,000, to remain available
2 until expended: *Provided*, That the entire amount is des-
3 ignated by Congress as an emergency requirement pursu-
4 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
5 Emergency Deficit Control Act of 1985, as amended.

6 EMERGENCY LIVESTOCK FEED ASSISTANCE PROGRAM

7 Notwithstanding any other provision of law, for ex-
8 penses resulting from flooding in the Pacific Northwest
9 and other natural disasters, not to exceed \$10,000,000 of
10 Commodity Credit Corporation funds shall be available
11 until expended for implementation of cost sharing under
12 provisions consistent with the Emergency Livestock Feed
13 Assistance Program: *Provided*, That the entire amount is
14 designated by Congress as an emergency requirement pur-
15 suant to section 251(b)(2)(D)(i) of the Balanced Budget
16 and Emergency Deficit Control Act of 1985, as amended.

17 RURAL HOUSING AND COMMUNITY DEVELOPMENT

18 SERVICE

19 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

20 For an additional amount for “Rural housing insur-
21 ance fund program account” for the additional cost of di-
22 rect loans, including the cost of modifying loans as defined
23 in section 502 of the Congressional Budget Act of 1974,
24 for emergency expenses resulting from flooding in the Pa-
25 cific Northwest, Northeast blizzards and floods, Hurricane

1 Marilyn, and other natural disasters, to be available from
2 funds in the rural housing insurance fund as follows:
3 \$6,500,000 for section 502 direct loans and section 504
4 housing repair loans, to remain available until expended:
5 *Provided*, That the entire amount is designated by Con-
6 gress as an emergency requirement pursuant to section
7 251(b)(2)(D)(i) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985, as amended.

9 VERY LOW-INCOME HOUSING REPAIR GRANTS

10 For an additional amount for “Very low-income hous-
11 ing repair grants” under section 504 of the Housing Act
12 of 1949, as amended, for emergency expenses resulting
13 from flooding in the Pacific Northwest, Northeast bliz-
14 zards and floods, Hurricane Marilyn, and other natural
15 disasters, \$1,100,000, to remain available until expended:
16 *Provided*, That the entire amount is designated by Con-
17 gress as an emergency requirement pursuant to section
18 251(b)(2)(D)(i) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985, as amended.

20 RURAL UTILITIES SERVICE

21 EMERGENCY COMMUNITY WATER ASSISTANCE PROGRAM

22 For an additional amount for “Emergency commu-
23 nity water assistance program” for emergency expenses
24 resulting from flooding in the Pacific Northwest, North-
25 east blizzards and floods, and other natural disasters,
26 \$5,000,000, to remain available until expended, for the

1 cost of emergency community water assistance grants, as
2 authorized by 7 U.S.C. 1926b: *Provided*, That the entire
3 amount is designated by Congress as an emergency re-
4 quirement pursuant to section 251(b)(2)(D)(i) of the Bal-
5 anced Budget and Emergency Deficit Control Act of 1985,
6 as amended.

7 RURAL UTILITIES ASSISTANCE PROGRAM

8 For an additional amount for “Rural utilities assist-
9 ance program” for the additional cost of direct loans and
10 grants, including the cost of modifying loans as defined
11 in section 502 of the Congressional Budget Act of 1974,
12 for emergency expenses resulting from flooding in the Pa-
13 cific Northwest, Northeast blizzards and floods, and other
14 natural disasters, \$6,000,000, to remain available until ex-
15 pended: *Provided*, That the entire amount is designated
16 by Congress as an emergency requirement pursuant to
17 section 251(b)(2)(D)(i) of the Balanced Budget and
18 Emergency Deficit Control Act of 1985, as amended.

19 CHAPTER II

20 SMALL BUSINESS ADMINISTRATION

21 DISASTER LOANS PROGRAM ACCOUNT

22 For an additional amount for “Disaster Loans Pro-
23 gram Account” for the cost of direct loans authorized by
24 section 7(b) of the Small Business Act, as amended,
25 \$72,300,000, to remain available until expended: *Pro-*
26 *vided*, That such costs, including the cost of modifying

1 such loans, shall be as defined in section 502 of the Con-
 2 gressional Budget Act of 1974: *Provided further*, That the
 3 entire amount is designated by Congress as an emergency
 4 requirement pursuant to section 251(b)(2)(D)(i) of the
 5 Balanced Budget and Emergency Deficit Control Act of
 6 1985, as amended.

7 For an additional amount for administrative expenses
 8 directly related to carrying out the disaster loan program,
 9 \$27,700,000, to remain available until expended: *Pro-*
 10 *vided*, That these funds shall be available only upon notifi-
 11 cation to the Committees on Appropriations of the House
 12 of Representatives and the Senate in accordance with
 13 standard reprogramming procedures: *Provided further*,
 14 That the entire amount is designated by Congress as an
 15 emergency requirement pursuant to section
 16 251(b)(2)(D)(i) of the Balanced Budget and Emergency
 17 Deficit Control Act of 1985, as amended.

18 CHAPTER III

19 DEPARTMENT OF DEFENSE—CIVIL

20 DEPARTMENT OF THE ARMY

21 CORPS OF ENGINEERS—CIVIL

22 OPERATION AND MAINTENANCE, GENERAL

23 For an additional amount for “Operation and Main-
 24 tenance, General”, for the Northeast and Northwest floods
 25 of 1996, \$30,000,000, to remain available until expended:

1 *Provided*, That the entire amount is designated by Con-
2 gress as an emergency requirement pursuant to section
3 251(b)(2)(D)(i) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985, as amended.

5 FLOOD CONTROL AND COASTAL EMERGENCIES

6 For an additional amount for “Flood Control and
7 Coastal Emergencies”, for the Northeast and Northwest
8 floods of 1996 and other disasters, and to replenish funds
9 transferred pursuant to Public Law 84–99, \$135,000,000,
10 to remain available until expended: *Provided*, That the en-
11 tire amount is designated by Congress as an emergency
12 requirement pursuant to section 251(b)(D)(2)(i) of the
13 Balanced Budget and Emergency Deficit Control Act of
14 1985, as amended.

15 DEPARTMENT OF THE INTERIOR

16 BUREAU OF RECLAMATION

17 CONSTRUCTION PROGRAM

18 For an additional amount for “Construction Pro-
19 gram”, \$9,000,000, to remain available until expended:
20 *Provided*, That the entire amount is designated by Con-
21 gress as an emergency requirement pursuant to section
22 251(b)(D)(2)(i) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985, as amended.

1 DEPARTMENT OF ENERGY
2 POWER MARKETING ADMINISTRATIONS
3 CONSTRUCTION, REHABILITATION, OPERATION AND
4 MAINTENANCE, WESTERN AREA POWER ADMINIS-
5 TRATION

6 (TRANSFER OF FUNDS)

7 \$5,500,000 of funds appropriated under this heading
8 in the Energy and Water Development Appropriations
9 Act, 1995 (Public Law 103–316), shall be transferred to
10 the appropriation account “Operation and Maintenance,
11 Alaska Power Administration”, to remain available until
12 expended, only for necessary termination expenses.

13 CHAPTER IV
14 DEPARTMENT OF THE INTERIOR
15 BUREAU OF LAND MANAGEMENT
16 CONSTRUCTION AND ACCESS

17 For an additional amount for “Construction and Ac-
18 cess”, \$4,242,000, to remain available until expended, to
19 repair roads, culverts, bridges, facilities, fish and wildlife
20 protective structures, and recreation sites damaged by the
21 Pacific Northwest floods and other natural disasters: *Pro-*
22 *vided*, That Congress hereby designates this amount as an
23 emergency requirement pursuant to section
24 251(b)(2)(D)(i) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985, as amended.

1 OREGON AND CALIFORNIA GRANT LANDS

2 For an additional amount for “Oregon and California
3 Grant Lands”, \$19,548,000, to remain available until ex-
4 pended, to repair roads, culverts, bridges, facilities, fish
5 and wildlife protective structures, and recreation sites
6 damaged by the Pacific Northwest floods and other natu-
7 ral disasters: *Provided*, That Congress hereby designates
8 this amount as an emergency requirement pursuant to sec-
9 tion 251(b)(2)(D)(i) of the Balanced Budget and Emer-
10 gency Deficit Control Act of 1985, as amended.

11 UNITED STATES FISH AND WILDLIFE SERVICE

12 CONSTRUCTION

13 For an additional amount for “Construction”,
14 \$20,505,000, to remain available until expended, to make
15 repairs necessitated by hurricanes, floods and other natu-
16 ral disasters: *Provided*, That Congress hereby designates
17 this amount as an emergency requirement pursuant to sec-
18 tion 251(b)(2)(D)(i) of the Balanced Budget and Emer-
19 gency Deficit Control Act of 1985, as amended.

20 NATIONAL PARK SERVICE

21 CONSTRUCTION

22 For an additional amount for “Construction”,
23 \$33,601,000, to remain available until expended, to make
24 repairs necessitated by hurricanes, floods and other natu-
25 ral disasters: *Provided*, That Congress hereby designates

1 this amount as an emergency requirement pursuant to sec-
2 tion 251(b)(2)(D)(i) of the Balanced Budget and Emer-
3 gency Deficit Control Act of 1985, as amended.

4 UNITED STATES GEOLOGICAL SURVEY

5 SURVEYS, INVESTIGATIONS, AND RESEARCH

6 For an additional amount for “Surveys, Investiga-
7 tions, and Research”, \$1,176,000, to remain available
8 until September 30, 1997, for expenses necessitated by
9 hurricanes, floods and other natural disasters: *Provided*,
10 That Congress hereby designates this amount as an emer-
11 gency requirement pursuant to section 251(b)(2)(D)(i) of
12 the Balanced Budget and Emergency Deficit Control Act
13 of 1985, as amended.

14 BUREAU OF INDIAN AFFAIRS

15 OPERATION OF INDIAN PROGRAMS

16 For an additional amount for “Operation of Indian
17 Programs”, \$500,000, to remain available until Septem-
18 ber 30, 1997, for emergency operations and repairs neces-
19 sitated by winter floods: *Provided*, That Congress hereby
20 designates this amount as an emergency requirement pur-
21 suant to section 251(b)(2)(D)(i) of the Balanced Budget
22 and Emergency Deficit Control Act of 1985, as amended.

23 CONSTRUCTION

24 For an additional amount for “Construction”,
25 \$9,428,000, to remain available until expended, for emer-
26 gency repairs necessitated by floods in the Pacific North-

1 west and other natural disasters: *Provided*, That Congress
2 hereby designates this amount as an emergency require-
3 ment pursuant to section 251(b)(2)(D)(i) of the Balanced
4 Budget and Emergency Deficit Control Act of 1985, as
5 amended.

6 TERRITORIAL AND INTERNATIONAL AFFAIRS

7 ASSISTANCE TO TERRITORIES

8 For an additional amount for “Assistance to Terri-
9 tories”, \$2,000,000, to remain available until expended,
10 for recovery efforts necessitated by Hurricane Marilyn:
11 *Provided*, That Congress hereby designates this amount
12 as an emergency requirement pursuant to section
13 251(b)(2)(D)(i) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985, as amended.

15 DEPARTMENT OF AGRICULTURE

16 FOREST SERVICE

17 NATIONAL FOREST SYSTEM

18 For an additional amount for “National Forest Sys-
19 tem”, \$20,000,000, to remain available until September
20 30, 1997, for expenses necessitated by floods and other
21 natural disasters: *Provided*, That Congress hereby des-
22 ignates this amount as an emergency requirement pursu-
23 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985, as amended.

1 CONSTRUCTION

2 For an additional amount for “Construction”,
3 \$60,000,000, to remain available until expended, for ex-
4 penses necessitated by floods and other natural disasters:
5 *Provided*, That Congress hereby designates this amount
6 as an emergency requirement pursuant to section
7 251(b)(2)(D)(i) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985, as amended: *Provided further*,
9 That \$20,000,000 of this amount shall be available only
10 to the extent an official budget request, for a specific dol-
11 lar amount, that includes designation of the entire amount
12 of the request as an emergency requirement pursuant to
13 section 251(b)(2)(D)(i) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985, as amended, is
15 transmitted by the President to the Congress.

16 CHAPTER V

17 DEPARTMENT OF TRANSPORTATION

18 FEDERAL HIGHWAY ADMINISTRATION

19 FEDERAL-AID HIGHWAYS

20 (HIGHWAY TRUST FUND)

21 For the Emergency Fund authorized by section 125
22 of title 23, United States Code, to cover expenses arising
23 from the January 1996 flooding in the Mid-Atlantic,
24 Northeast, and Northwest States, and other disasters,
25 \$267,000,000, to be derived from the Highway Trust
26 Fund and to remain available until expended: *Provided*,

1 That such amount is designated by Congress as an emer-
2 gency requirement pursuant to section 251(b)(2)(D)(i) of
3 the Balanced Budget and Emergency Deficit Control Act
4 of 1985, as amended.

5 DEPARTMENT OF TRANSPORTATION

6 FEDERAL TRANSIT ADMINISTRATION

7 MASS TRANSIT CAPITAL ACCOUNT

8 (LIQUIDATION OF CONTRACT AUTHORIZATION)

9 (HIGHWAY TRUST FUND)

10 For an additional amount for payment of obligations
11 incurred in carrying out 49 U.S.C. 5338(b) administered
12 by the Federal Transit Administration, \$375,000,000, to
13 be derived from the Highway Trust Fund and to remain
14 available until expended.

15 OTHER INDEPENDENT AGENCIES

16 PANAMA CANAL COMMISSION

17 PANAMA CANAL REVOLVING FUND

18 For an additional amount for administrative ex-
19 penses, \$2,000,000, to be derived from the Panama Canal
20 Revolving Fund.

21 CHAPTER VI

22 FEDERAL EMERGENCY MANAGEMENT AGENCY

23 DISASTER RELIEF

24 (INCLUDING TRANSFER OF FUNDS)

25 For an additional amount for “Disaster Relief”,
26 \$150,000,000, to remain available until expended, which,

1 in whole or in part, may be transferred to the Disaster
2 Assistance Direct Loan Program Account for the cost of
3 direct loans as authorized under section 417 of the Robert
4 T. Stafford Disaster Relief and Emergency Assistance Act
5 (42 U.S.C. 5121 et seq.): *Provided further*, That such
6 transfer may be made to subsidize gross obligations for
7 the principal amount of direct loans not to exceed
8 \$170,000,000 under section 417 of the Stafford Act: *Pro-*
9 *vided further*, That any such transfer of funds shall be
10 made only upon certification by the Director of the Fed-
11 eral Emergency Management Agency that all require-
12 ments of section 417 of the Stafford Act will be complied
13 with: *Provided further*, That the entire amount of this ap-
14 propriation shall be available only to the extent that an
15 official budget request for a specific dollar amount, that
16 includes designation of the entire amount of the request
17 as an emergency requirement as defined in the Balanced
18 Budget and Emergency Deficit Control Act of 1985, as
19 amended, is transmitted by the President to Congress:
20 *Provided further*, That the entire amount is designated by
21 Congress as an emergency requirement pursuant to sec-
22 tion 251(b)(2)(D)(i) of the Balanced Budget and Emer-
23 gency Deficit Control Act of 1985, as amended.

1 CHAPTER VII
2 GENERAL PROVISIONS—THIS TITLE

3 SEC. 3002. No part of any appropriation contained
4 in this title shall remain available for obligation beyond
5 the current fiscal year unless expressly so provided herein.

6 TITLE IV
7 CONTINGENT SUPPLEMENTAL
8 APPROPRIATIONS
9 CHAPTER I

10 DEPARTMENT OF COMMERCE
11 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
12 INDUSTRIAL TECHNOLOGY SERVICES

13 For an additional amount for the Advanced Tech-
14 nology Program, \$100,000,000, to remain available until
15 expended: *Provided*, That amounts made available under
16 this heading may be used only for the purpose of providing
17 continuation grants for projects awarded in fiscal year
18 1994 and prior years and related administrative expenses:
19 *Provided further*, That none of the funds made available
20 under this heading may be used for the purpose of carry-
21 ing out additional program competitions under the Ad-
22 vanced Technology Program.

1 DEPARTMENT OF STATE
2 INTERNATIONAL ORGANIZATIONS AND CONFERENCES
3 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

4 For an additional amount for “Contributions to
5 International Organizations”, \$158,000,000, subject to
6 the same terms and conditions as provided in the Depart-
7 ment of State and Related Agencies Appropriations Act,
8 1996: *Provided*, That 50 percent of the funds appropriated
9 in this paragraph shall be withheld from obligation and
10 expenditure unless the Secretary of State certifies that the
11 United Nations has taken no action that would cause the
12 United Nations to exceed its no-growth budget for the bi-
13 ennium 1996–1997 adopted in December, 1995.

14 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
15 ACTIVITIES

16 For an additional amount for “Contributions for
17 International Peacekeeping Activities”, \$200,000,000,
18 subject to the same terms and conditions as provided in
19 the Department of State and Related Agencies Appropria-
20 tions Act, 1996.

21 CHAPTER II
22 DEPARTMENT OF LABOR
23 EMPLOYMENT AND TRAINING ADMINISTRATION
24 TRAINING AND EMPLOYMENT SERVICES

25 For an additional amount for “Training and Employ-
26 ment Services”, \$111,800,000, of which \$84,300,000 for

1 title II, part A, of the Job Training Partnership Act shall
2 be available for obligation for the period July 1, 1996
3 through June 30, 1997 and \$27,500,000 for the School-
4 to-Work Opportunities Act shall be available for obligation
5 for the period July 1, 1996, through September 30, 1997.

6 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
7 SERVICE OPERATIONS

8 For an additional amount for “State Unemployment
9 Insurance and Employment Service Operations”,
10 \$33,000,000 to be available for obligation for the period
11 July 1, 1996 through June 30, 1997.

12 DEPARTMENT OF HEALTH AND HUMAN
13 SERVICES

14 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES
15 ADMINISTRATION

16 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

17 For an additional amount for “Substance Abuse and
18 Mental Health Services”, \$100,000,000 for carrying out
19 title XIX of the Public Health Service Act with respect
20 to substance abuse services.

21 DEPARTMENT OF EDUCATION

22 EDUCATION REFORM

23 For an additional amount for “Education Reform”,
24 \$389,500,000 for carrying out activities authorized by the
25 Goals 2000: Educate America Act and titles II and III
26 of the School-to-Work Opportunities Act which shall be-

1 come available on July 1, 1996 and remain available
2 through September 30, 1997: *Provided*, That none of the
3 funds appropriated under this heading shall be obligated
4 or expended to carry out section 304(a)(2)(A) of the Goals
5 2000: Educate America Act.

6 EDUCATION FOR THE DISADVANTAGED

7 For an additional amount for “Education for the Dis-
8 advantaged”, \$961,000,000 for carrying out title I of the
9 Elementary and Secondary Education Act of 1965 which
10 shall become available on July 1, 1996 and remain avail-
11 able through September 30, 1997: *Provided*, That
12 \$461,000,000 shall be available for basic grants under sec-
13 tion 1124, which shall be allocated without regard to sec-
14 tion 1124(d): *Provided further*, That \$500,000,000 shall
15 be available for concentration grants under section
16 1124(A): *Provided further*, That no funds shall be reserved
17 under section 1003(a).

18 SCHOOL IMPROVEMENT PROGRAMS

19 For an additional amount for “School Improvement
20 Programs”, \$12,000,000 for carrying out title X of the
21 Elementary and Secondary Education Act of 1965.

22 EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

23 For an additional amount for “Education Research,
24 Statistics, and Improvement”, \$23,000,000 for carrying
25 out section 3136 (K–12 technology learning challenges) of
26 the Elementary and Secondary Education Act of 1965.

1 CHAPTER III
2 DEPARTMENT OF VETERANS AFFAIRS
3 DEPARTMENTAL ADMINISTRATION
4 CONSTRUCTION, MAJOR PROJECTS

5 For an additional amount for “Construction, Major
6 Projects”, \$70,100,000, to remain available until ex-
7 pended.

8 DEPARTMENT OF HOUSING AND URBAN
9 DEVELOPMENT
10 HOUSING PROGRAMS

11 ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

12 For an additional amount for “Annual Contributions
13 for Assisted Housing”, \$150,000,000, to remain available
14 until expended: *Provided*, That of the total amount pro-
15 vided, \$75,000,000 shall be made available, as authorized
16 by section 202 of the Housing Act of 1959; and
17 \$75,000,000 shall be for supportive housing for persons
18 with disabilities, as authorized by section 811 of the Cran-
19 ston-Gonzalez National Affordable Housing Act.

20 PUBLIC HOUSING DEMOLITION, SITE REVITALIZATION,
21 AND REPLACEMENT HOUSING GRANTS

22 For an additional amount for “Public Housing Dem-
23 olition, Site Revitalization, and Replacement Housing
24 Grants”, \$220,000,000, to remain available until ex-
25 pended.

1 PAYMENTS FOR OPERATION OF LOW-INCOME HOUSING
2 PROJECTS

3 For an additional amount for “Payments for Oper-
4 ation of Low-Income Housing Projects”, \$50,000,000.

5 COMMUNITY PLANNING AND DEVELOPMENT
6 COMMUNITY DEVELOPMENT GRANTS

7 Of the amount provided under this heading in title
8 I of this Act, \$80,000,000 shall be available for Economic
9 Development Initiative grants as authorized by section
10 108(q) of the Housing and Community Development Act
11 of 1974, as amended, on a competitive basis.

12 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
13 NATIONAL AND COMMUNITY SERVICE PROGRAMS
14 OPERATING EXPENSES
15 (INCLUDING TRANSFER OF FUNDS)

16 Upon the implementation of title IV of this Act, not-
17 withstanding the language under this heading in title I
18 of this Act or any other provision of law, effective October
19 1, 1995, and throughout the remainder of fiscal year
20 1996, appropriations made available to the Corporation
21 for National and Community Services are in toto as pro-
22 vided for in title IV of this Act as follows:

23 For necessary expenses for the Corporation for Na-
24 tional and Community Service (referred to in the matter
25 under this heading as the “Corporation”) in carrying out
26 programs, activities, and initiatives under the National

1 and Community Service Act of 1990 (referred to in the
2 matter under this heading as the “Act”) (42 U.S.C. 12501
3 et seq.), \$383,500,000, of which \$234,000,000 shall be
4 available for obligation from September 1, 1996, through
5 September 30, 1997: *Provided*, That not more than
6 \$25,000,000 shall be available for administrative expenses
7 authorized under section 501(a)(4) of the Act (42 U.S.C.
8 12681(a)(4)): *Provided further*, That not more than
9 \$2,500 shall be for official reception and representation
10 expenses: *Provided further*, That not more than
11 \$59,000,000, to remain available without fiscal year limi-
12 tation, shall be transferred to the National Service Trust
13 account for educational awards authorized under subtitle
14 D of title I of the Act (42 U.S.C. 12601 et seq.): *Provided*
15 *further*, That not more than \$175,000,000 of the amount
16 provided under this heading shall be available for grants
17 under the National Service Trust program authorized
18 under subtitle C of title I of the Act (42 U.S.C. 12571
19 et seq.) (relating to activities including the AmeriCorps
20 program): *Provided further*, That not more than
21 \$3,500,000 of the funds made available under this head-
22 ing shall be made available for the Points of Light Foun-
23 dation for activities authorized under title III of the Act
24 (42 U.S.C. 12661 et seq.): *Provided further*, That not
25 more than \$40,000,000 of the funds made available under

1 this heading may be used to administer, reimburse, or sup-
2 port any national service program authorized under sec-
3 tion 121(d)(2) of such Act (42 U.S.C. 12581(d)(2)), and
4 none of such funds shall be available for national service
5 programs run by Federal agencies authorized under sec-
6 tion 121(b) of such Act (42 U.S.C. 12581(b)): *Provided*
7 *further*, That, to the maximum extent feasible, funds ap-
8 propriated in the preceding proviso shall be provided in
9 a manner that is consistent with the recommendations of
10 peer review panels in order to assure that priority is given
11 to programs that demonstrate quality, innovation,
12 replicability, and sustainability: *Provided further*, That not
13 more than \$18,000,000 of the funds made available under
14 this heading shall be available for the National Civilian
15 Community Corps authorized under subtitle E of title I
16 of the Act (42 U.S.C. 12611 et seq.): *Provided further*,
17 That not more than \$43,000,000 shall be available for
18 school-based and community-based service-learning pro-
19 grams authorized under subtitle B of title I of the Act
20 (42 U.S.C. 12521 et seq.): *Provided further*, That not
21 more than \$15,000,000 shall be available for quality and
22 innovation activities authorized under subtitle H of title
23 I of the Act (42 U.S.C. 12653 et seq.): *Provided further*,
24 That not more than \$5,000,000 shall be available for au-
25 dits and other evaluations authorized under section 179

1 of the Act (42 U.S.C. 12639), of which up to \$500,000
2 shall be available for a study by the National Academy
3 of Public Administration on the structure, organization,
4 and management of the Corporation and activities sup-
5 ported by the Corporation, including an assessment of the
6 quality, innovation, replicability and sustainability without
7 Federal funds of such activities, and the Federal and non-
8 Federal cost of supporting participants in community
9 service activities: *Provided further*, That no funds from
10 any other appropriation, or from funds otherwise made
11 available to the Corporation, shall be used to pay for per-
12 sonnel compensation and benefits, travel, or any other ad-
13 ministrative expense for the Board of Directors, the Office
14 of the Chief Executive Officer, the Office of the Managing
15 Director, the Office of the Chief Financial Officer, the Of-
16 fice of National and Community Service Programs, the Ci-
17 vilian Community Corps, or any field office or staff of the
18 Corporation working on the National and Community
19 Service or National Civilian Community Corps programs:
20 *Provided further*, That to the maximum extent practicable,
21 the Corporation shall increase significantly the level of
22 matching funds and in-kind contributions provided by the
23 private sector, shall expand significantly the number of
24 educational awards provided under subtitle D of title I,

1 and shall reduce the total Federal cost per participant in
2 all programs.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General in carrying out provisions of the Inspector Gen-
6 eral Act of 1978, \$2,000,000.

7 ENVIRONMENTAL PROTECTION AGENCY

8 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

9 For an additional amount for “Environmental Pro-
10 grams and Management”, \$150,000,000, to remain avail-
11 able until September 30, 1997: *Provided*, That up to
12 \$40,000,000 of this amount shall be available for enforce-
13 ment activities under this heading.

14 BUILDING AND FACILITIES

15 For an additional amount for “Buildings and Facili-
16 ties”, \$50,000,000 for the construction of a new consoli-
17 dated research facility at Research Triangle Park, North
18 Carolina, to remain available until expended: *Provided*,
19 That notwithstanding any other provision of law, the En-
20 vironmental Protection Agency is authorized to establish
21 and construct a consolidated research facility at Research
22 Triangle Park, North Carolina, at a maximum total con-
23 struction cost of \$232,000,000, and to obligate such mon-
24 ies as are made available by this Act, and hereafter, for
25 this purpose.

1 HAZARDOUS SUBSTANCE SUPERFUND

2 For an additional amount for “Hazardous Substance
3 Superfund”, \$100,000,000, to remain available until ex-
4 pended.

5 STATE AND TRIBAL ASSISTANCE GRANTS

6 For an additional amount for “State and Tribal As-
7 sistance Grants”, \$3,500,000, to remain available until ex-
8 pended for a grant for water distribution systems in the
9 South Buffalo/Kittaning, Pennsylvania area.

10 EXECUTIVE OFFICE OF THE PRESIDENT

11 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF
12 ENVIRONMENTAL QUALITY

13 For an additional amount for “Council on Environ-
14 mental Quality and Office of Environmental Quality”,
15 \$500,000, subject to the same terms and conditions as
16 provided under this heading in title I of this Act.

17 NATIONAL SCIENCE FOUNDATION

18 RESEARCH AND RELATED ACTIVITIES

19 For an additional amount for “Research and Related
20 Activities”, \$40,000,000, to remain available until Sep-
21 tember 30, 1997.

1 DEPARTMENT OF THE TREASURY

2 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

3 FUND

4 PROGRAM ACCOUNT

5 For grants, loans, and technical assistance to qualify-
6 ing community development financial institutions, and ad-
7 ministrative expenses of the Fund, \$25,000,000, to re-
8 main available until September 30, 1997: *Provided*, That
9 of the funds made available under this heading not to ex-
10 ceed \$4,000,000 may be used for the cost of direct loans,
11 and not to exceed \$400,000 may be used for administra-
12 tive expenses to carry out the direct loan program: *Pro-*
13 *vided further*, That the cost of direct loans, including the
14 cost of modifying such loans, shall be defined as in section
15 502 of the Congressional Budget Act of 1974: *Provided*
16 *further*, That such funds are available to subsidize gross
17 obligation of the principal amount of direct loans not to
18 exceed \$15,800,000: *Provided further*, That none of these
19 funds shall be used to supplement existing resources pro-
20 vided to the Department for activities such as external af-
21 fairs, general counsel, administration, finance, or office of
22 inspector general: *Provided further*, That none of these
23 funds shall be available for expenses of an Administrator
24 as defined in section 104 of the Community Development
25 Banking and Financial Institutions Act of 1994 (CDBFI

1 Act): *Provided further*, That the number of staff funded
2 under this heading shall not exceed 10 full-time equiva-
3 lents: *Provided further*, That notwithstanding any other
4 provision of law, for purposes of administering the Com-
5 munity Development Financial Institutions Fund, the Sec-
6 retary of the Treasury shall have all powers and rights
7 of the Administrator of the CDBFI Act and the Fund
8 shall be within the Department of the Treasury.

9 CHAPTER IV

10 GENERAL PROVISIONS—THIS TITLE

11 SEC. 4001. No part of any appropriation contained
12 in this title shall remain available for obligation beyond
13 the current fiscal year unless expressly so provided herein.

14 SEC. 4002. Amounts appropriated in this title are
15 available for obligation only if and when reconciliation leg-
16 islation is enacted that expressly makes available for obli-
17 gation these amounts and that (1) makes available or
18 causes to be made available to the Committees on Appro-
19 priations of the House and Senate increased budget au-
20 thority and outlays for fiscal year 1996 under the provi-
21 sions of section 302(a) or 602(a) of the Congressional
22 Budget Act of 1974 in at least the amounts included in
23 this title, (2) credits to or causes to be credited to the
24 budget authority and outlays for fiscal year 1996 of the
25 Committees on Appropriations of the House and Senate

1 under the provisions of section 302(a) or 602(a) of the
2 Congressional Budget Act of 1974 offsetting savings or
3 receipts in at least the amounts included in this title, or
4 (3) includes any combination of increased budget author-
5 ity and outlays or crediting of offsetting savings or re-
6 cepts to the spending authority for fiscal year 1996 of
7 the Committees on Appropriations of the House and Sen-
8 ate under the provisions of section 302(a) or 602(a) of
9 the Congressional Budget Act of 1974 in at least the
10 amounts included in this title. Any amounts appropriated
11 in this title that have not been made available for obliga-
12 tion by the end of the fiscal year 1996 are hereby re-
13 scinded.

14 TITLE V—DISCLOSURE OF LOBBYING
15 ACTIVITIES BY FEDERAL GRANTEES

16 DISCLOSURE OF LOBBYING ACTIVITIES BY FEDERAL
17 GRANTEES

18 SEC. 5001. (a) DISCLOSURE REQUIREMENTS.—Not
19 later than December 31 of each year, each organization
20 receiving a Federal grant shall provide (via either elec-
21 tronic or paper medium) to each Federal entity that
22 awarded or administered its grant an annual report for
23 the previous Federal fiscal year, certified by the organiza-
24 tion's chief executive officer or equivalent person of au-
25 thority, setting forth—

1 (1) the organization’s name and grantee identi-
2 fication number;

3 (2) the amount or value of each grant (including
4 all administrative and overhead costs awarded), and
5 the description of each such grant and the name of
6 the Federal agency awarding such grant; and

7 (3) a good faith estimate of the organization’s ac-
8 tual expenses on lobbying activities in the most re-
9 cent taxable year.

10 (b) EXEMPTIONS.—This section shall not apply to
11 an individual or a State, local, or Indian tribal govern-
12 ment.

13 (c) DEFINITIONS.—For purposes of this section:

14 (1) FEDERAL GRANT.—The term “Federal grant”
15 means money or real property that is paid or pro-
16 vided by the Federal Government to any organiza-
17 tion. Such term does not include (A) any assistance
18 described in section 6302(2) of title 31, United
19 States Code; (B) any amount paid under a procure-
20 ment contract described in section 6303(1) of such
21 title; or (C) any payment or assistance described in
22 clause (ii), (iii), (iv), or (vii) of section 6501(4)(C)
23 of such title.

24 (2) LOBBYING ACTIVITY.—The term “lobbying ac-
25 tivity” means any activity that is either (A) a lobby-

1 ing activity within the meaning of section 3 of the
2 Lobbying Disclosure Act of 1995; or (B) an activity
3 influencing legislation within the meaning of section
4 4911 of the Internal Revenue Code of 1986. Such
5 term shall also include advocating the election or de-
6 feat of any candidate for public office, or the pas-
7 sage or non-passage of any ballot proposition.

8 (d) PUBLIC ACCOUNTABILITY.—

9 (1) PUBLIC AVAILABILITY OF LOBBYING DISCLO-
10 SURE FORMS.—Each Federal entity awarding a Fed-
11 eral grant shall make publicly available the grant ap-
12 plication, and any annual report provided under sub-
13 section (a) by the organization receiving the grant.

14 (2) ACCESSIBILITY TO PUBLIC.—The public's ac-
15 cess to the documents identified in paragraph (1)
16 shall be facilitated by the Federal entity by—

17 (A) placement of such documents in the Fed-
18 eral entity's public document reading room;

19 (B) expediting any requests under section
20 552 of title 5, United States Code (the Free-
21 dom of Information Act), ahead of any requests
22 for other information pending at such Federal
23 entity; and

24 (C) submitting to the Bureau of the Census
25 a report (standardized by the Office of Manage-

1 ment and Budget) setting forth the information
2 provided in such documents, which the Bureau
3 of the Census shall make available to the public
4 through the Internet.

5 (3) WITHHOLDING PROHIBITED.—Records de-
6 scribed in paragraph (1) shall not be subject to with-
7 holding, except under the exemption set forth in sub-
8 section (b)(7)(A) of section 552 of title 5, United
9 States Code.

10 (4) FEES PROHIBITED.—No fees for searching for
11 or copying such documents shall be charged to the
12 public.

13 (e) CONSTRUCTION.—No provision of this section
14 may be construed to affect whether any organization is
15 exempt from, or subject to, tax under the Internal Reve-
16 nue Code of 1986.

17 (f) REGULATIONS.—The Director of the Office of
18 Management and Budget shall issue any regulations nec-
19 essary to carry out this section.

20 (g) EFFECTIVE DATE.—

21 (1) IN GENERAL.—This section shall take effect
22 January 1, 1996, and apply thereafter.

23 (2) PRIOR ACTIVITIES NOT TAKEN INTO AC-
24 COUNT.—In applying this section, only expenditures

1 made after December 31, 1995, in taxable years
2 ending after such date shall be taken into account.

3 (3) ANNUALIZATION FOR PARTIAL TAXABLE
4 YEARS.—In the case of a taxable year that ends
5 after December 31, 1995, and begins before January
6 1, 1996, each of the dollar amounts applicable under
7 this section shall be proportionally reduced to reflect
8 the portion of such taxable year after December 31,
9 1995.

10 TITLE VI—DEFICIT REDUCTION LOCK-BOX

11 **SEC. 601. SHORT TITLE.**

12 This title may be cited as the “Deficit Reduction
13 Lock-box Act of 1996”.

14 **SEC. 602. DEFICIT REDUCTION LOCK-BOX LEDGER.**

15 (a) ESTABLISHMENT OF LEDGER.—Title III of the
16 Congressional Budget Act of 1974 is amended by adding
17 at the end the following new section:

18 “DEFICIT REDUCTION LOCK-BOX LEDGER

19 “SEC. 314. (a) ESTABLISHMENT OF LEDGER.—The
20 Director of the Congressional Budget Office (hereinafter
21 in this section referred to as the “Director”) shall main-
22 tain a ledger to be known as the “Deficit Reduction
23 Lock-box Ledger”. The Ledger shall be divided into en-
24 tries corresponding to the subcommittees of the Commit-
25 tees on Appropriations. Each entry shall consist of three
26 parts: the ‘House Lock-box Balance’; the ‘Senate Lock-

1 box Balance’; and the ‘Joint House-Senate Lock-box Bal-
2 ance’.

3 “(b) COMPONENTS OF LEDGER.—Each component
4 in an entry shall consist only of amounts credited to it
5 under subsection (c). No entry of a negative amount shall
6 be made.

7 “(c) CREDIT OF AMOUNTS TO LEDGER.—(1) The
8 Director shall, upon the engrossment of any appropria-
9 tion bill by the House of Representatives and upon the
10 engrossment of that bill by the Senate, credit to the ap-
11 plicable entry balance of that House amounts of new
12 budget authority and outlays equal to the net amounts of
13 reductions in new budget authority and in outlays result-
14 ing from amendments agreed to by that House to that
15 bill.

16 “(2) The Director shall, upon the engrossment of
17 Senate amendments to any appropriation bill, credit to
18 the applicable Joint House-Senate Lock-box Balance the
19 amounts of new budget authority and outlays equal to—

20 “(A) an amount equal to one-half of the sum of
21 (i) the amount of new budget authority in the House
22 Lock-box Balance plus (ii) the amount of new budg-
23 et authority in the Senate Lock-box Balance for that
24 bill; and

1 “(B) an amount equal to one-half of the sum of
2 (i) the amount of outlays in the House Lock-box
3 Balance plus (ii) the amount of outlays in the Sen-
4 ate Lock-box Balance for that bill.

5 “(3) CALCULATION OF LOCK-BOX SAVINGS IN SEN-
6 ATE.—For purposes of calculating under this section the
7 net amounts of reductions in new budget authority and
8 in outlays resulting from amendments agreed to by the
9 Senate on an appropriation bill, the amendments re-
10 ported to the Senate by its Committee on Appropriations
11 shall be considered to be part of the original text of the
12 bill.

13 “(d) DEFINITION.—As used in this section, the term
14 ‘appropriation bill’ means any general or special appro-
15 priation bill, and any bill or joint resolution making sup-
16 plemental, deficiency, or continuing appropriations
17 through the end of a fiscal year.”.

18 (b) CONFORMING AMENDMENT.—The table of con-
19 tents set forth in section 1(b) of the Congressional Budg-
20 et and Impoundment Control Act of 1974 is amended by
21 inserting after the item relating to section 313 the follow-
22 ing new item:

 “Sec. 314. Deficit reduction lock-box ledger.”.

23 **SEC. 603. TALLY DURING HOUSE CONSIDERATION.**

24 There shall be available to Members in the House of
25 Representatives during consideration of any appropria-

1 tions bill by the House a running tally of the amend-
2 ments adopted reflecting increases and decreases of budg-
3 et authority in the bill as reported.

4 **SEC. 604. DOWNWARD ADJUSTMENT OF 602(a) ALLOCA-**
5 **TIONS AND SECTION 602(b)**
6 **SUBALLOCATIONS.**

7 (a) ALLOCATIONS.—Section 602(a) of the Congres-
8 sional Budget Act of 1974 is amended by adding at the
9 end the following new paragraph:

10 “(5) Upon the engrossment of Senate amend-
11 ments to any appropriation bill (as defined in section
12 314(d)) for a fiscal year, the amounts allocated
13 under paragraph (1) or (2) to the Committee on Ap-
14 propriations of each House upon the adoption of the
15 most recent concurrent resolution on the budget for
16 that fiscal year shall be adjusted downward by the
17 amounts credited to the applicable Joint House-Sen-
18 ate Lock-box Balance under section 314(c)(2). The
19 revised levels of budget authority and outlays shall
20 be submitted to each House by the chairman of the
21 Committee on the Budget of that House and shall
22 be printed in the Congressional Record.”.

23 (b) SUBALLOCATIONS.—Section 602(b)(1) of the
24 Congressional Budget Act of 1974 is amended by adding
25 at the end the following new sentence: “Whenever an ad-

1 justment is made under subsection (a)(5) to an allocation
2 under that subsection, the chairman of the Committee on
3 Appropriations of each House shall make downward ad-
4 justments in the most recent suballocations of new budg-
5 et authority and outlays under subparagraph (A) to the
6 appropriate subcommittees of that committee in the total
7 amounts of those adjustments under section 314(c)(2).
8 The revised suballocations shall be submitted to each
9 House by the chairman of the Committee on Appropria-
10 tions of that House and shall be printed in the Congres-
11 sional Record.”.

12 **SEC. 605. PERIODIC REPORTING OF LEDGER STATEMENTS.**

13 Section 308(b)(1) of the Congressional Budget Act
14 of 1974 is amended by adding at the end the following
15 new sentence: “Such reports shall also include an up-to-
16 date tabulation of the amounts contained in the ledger
17 and each entry established by section 314(a).”.

18 **SEC. 606. DOWNWARD ADJUSTMENT OF DISCRETIONARY**
19 **SPENDING LIMITS.**

20 The discretionary spending limits for new budget au-
21 thority and outlays for any fiscal year set forth in section
22 601(a)(2) of the Congressional Budget Act of 1974, as
23 adjusted in strict conformance with section 251 of the
24 Balanced Budget and Emergency Deficit Control Act of
25 1985, shall be reduced by the amounts set forth in the

1 final regular appropriation bill for that fiscal year or
2 joint resolution making continuing appropriations
3 through the end of that fiscal year. Those amounts shall
4 be the sums of the Joint House-Senate Lock-box Bal-
5 ances for that fiscal year, as calculated under section
6 602(a)(5) of the Congressional Budget Act of 1974. That
7 bill or joint resolution shall contain the following state-
8 ment of law: “As required by section 6 of the Deficit Re-
9 duction Lock-box Act of 1995, for fiscal year [insert ap-
10 propriate fiscal year] and each outyear, the adjusted dis-
11 cretionary spending limit for new budget authority shall
12 be reduced by \$ [insert appropriate amount of reduction]
13 and the adjusted discretionary limit for outlays shall be
14 reduced by \$ [insert appropriate amount of reduction] for
15 the budget year and each outyear.” Notwithstanding sec-
16 tion 904(c) of the Congressional Budget Act of 1974,
17 section 306 of that Act as it applies to this statement
18 shall be waived. This adjustment shall be reflected in re-
19 ports under sections 254(g) and 254(h) of the Balanced
20 Budget and Emergency Deficit Control Act of 1985.

21 **SEC. 607. EFFECTIVE DATE.**

22 (a) IN GENERAL.—This title shall apply to all ap-
23 propriations bills making appropriations for fiscal year
24 1996 or any subsequent fiscal year.

1 (b) FY96 APPLICATION.—In the case of any appro-
2 piation bill for fiscal year 1996 engrossed by the House
3 of Representatives after August 4, 1995 and before the
4 date of enactment of this bill, the Director of the Con-
5 gressional Budget Office, the Director of the Office of
6 Management and Budget, and the Committees on Appro-
7 priations and the Committees on the Budget of the
8 House of Representatives and of the Senate shall, within
9 10 calendar days after that date of enactment of this
10 Act, carry out the duties required by this title and
11 amendments made by it that occur after the date this Act
12 was engrossed by the House of Representatives.

13 (c) FY96 ALLOCATIONS.—The duties of the Direc-
14 tor of the Congressional Budget Office and of the Com-
15 mittees on the Budget and on Appropriations of the
16 House of Representatives pursuant to this title and the
17 amendments made by it regarding appropriations bills for
18 fiscal year 1996 shall be based upon the revised section
19 602(a) allocations in effect on August 4, 1995.

20 (d) DEFINITION.—As used in this section, the term
21 “Appropriation bill” means any general or special appro-
22 piation bill, and any bill or joint resolution making sup-
23 plemental, deficiency, or continuing appropriations
24 through the end of a fiscal year.

1 This Act may be cited as the “Balanced Budget
2 Down Payment Act, II.”

 Passed the House of Representatives March 7,
1996.

Attest:

Clerk.