

Union Calendar No. 211

106TH CONGRESS
1ST SESSION

H. R. 3037

[Report No. 106-370]

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 1999

Mr. PORTER, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2000, 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, for the

1 Departments of Labor, Health and Human Services, and
2 Education, and related agencies for the fiscal year ending
3 September 30, 2000, and for other purposes, namely:

4 TITLE I—DEPARTMENT OF LABOR

5 EMPLOYMENT AND TRAINING ADMINISTRATION

6 TRAINING AND EMPLOYMENT SERVICES

7 For necessary expenses of the Workforce Investment
8 Act, including the purchase and hire of passenger motor
9 vehicles, the construction, alteration, and repair of build-
10 ings and other facilities, and the purchase of real property
11 for training centers as authorized by the Workforce In-
12 vestment Act; the Stewart B. McKinney Homeless Assist-
13 ance Act; the Women in Apprenticeship and Nontradi-
14 tional Occupations Act; and the National Skill Standards
15 Act of 1994; \$1,964,758,000 plus reimbursements, of
16 which \$1,025,889,000 is available for obligation for the
17 period July 1, 2000, through June 30, 2001, of which
18 \$900,869,000 is available for obligation for the period
19 April 1, 2000, through June 30, 2001, and of which
20 \$34,000,000 is available for the period July 1, 2000,
21 through June 30, 2003, for necessary expenses of con-
22 struction, rehabilitation, and acquisition of Job Corps cen-
23 ters: *Provided*, That \$53,815,000 shall be for carrying out
24 section 166 of the Workforce Investment Act, and
25 \$7,000,000 shall be for carrying out the National Skill

1 Standards Act of 1994: *Provided further*, That no funds
2 from any other appropriation shall be used to provide meal
3 services at or for Job Corps centers.

4 For necessary expenses of the Workforce Investment
5 Act, including the purchase and hire of passenger motor
6 vehicles, the construction, alteration, and repair of build-
7 ings and other facilities, and the purchase of real property
8 for training centers as authorized by the Workforce In-
9 vestment Act; \$2,607,300,000 plus reimbursements, of
10 which \$2,507,300,000 is available for obligation for the
11 period October 1, 2000, through June 30, 2001; and of
12 which \$100,000,000 is available for the period October 1,
13 2000, through June 30, 2003, for necessary expenses of
14 construction, rehabilitation, and acquisition of Job Corps
15 centers.

16 COMMUNITY SERVICE EMPLOYMENT FOR OLDER
17 AMERICANS

18 To carry out the activities for national grants or con-
19 tracts with public agencies and public or private nonprofit
20 organizations under paragraph (1)(A) of section 506(a)
21 of title V of the Older Americans Act of 1965, as amended,
22 or to carry out older worker activities as subsequently au-
23 thorized, \$343,356,000.

24 To carry out the activities for grants to States under
25 paragraph (3) of section 506(a) of title V of the Older

1 Americans Act of 1965, as amended, or to carry out older
2 worker activities as subsequently authorized, \$96,844,000.

3 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

4 For payments during the current fiscal year of trade
5 adjustment benefit payments and allowances under part
6 I; and for training, allowances for job search and reloca-
7 tion, and related State administrative expenses under part
8 II, subchapters B and D, chapter 2, title II of the Trade
9 Act of 1974, as amended, \$314,400,000, together with
10 such amounts as may be necessary to be charged to the
11 subsequent appropriation for payments for any period sub-
12 sequent to September 15 of the current year.

13 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
14 SERVICE OPERATIONS

15 For authorized administrative expenses,
16 \$123,452,000, together with not to exceed
17 \$3,018,288,000 (including not to exceed \$1,228,000
18 which may be used for amortization payments to States
19 which had independent retirement plans in their State em-
20 ployment service agencies prior to 1980), which may be
21 expended from the Employment Security Administration
22 account in the Unemployment Trust Fund including the
23 cost of administering section 1201 of the Small Business
24 Job Protection Act of 1996, section 7(d) of the Wagner-
25 Peyser Act, as amended, the Trade Act of 1974, as
26 amended, the Immigration Act of 1990, and the Immigra-

1 tion and Nationality Act, as amended, and of which the
2 sums available in the allocation for activities authorized
3 by title III of the Social Security Act, as amended (42
4 U.S.C. 502–504), and the sums available in the allocation
5 for necessary administrative expenses for carrying out 5
6 U.S.C. 8501–8523, shall be available for obligation by the
7 States through December 31, 2000, except that funds
8 used for automation acquisitions shall be available for obli-
9 gation by the States through September 30, 2002; and
10 of which \$123,452,000, together with not to exceed
11 \$738,283,000 of the amount which may be expended from
12 said trust fund, shall be available for obligation for the
13 period July 1, 2000, through June 30, 2001, to fund ac-
14 tivities under the Act of June 6, 1933, as amended, in-
15 cluding the cost of penalty mail authorized under 39
16 U.S.C. 3202(a)(1)(E) made available to States in lieu of
17 allotments for such purpose, and of which \$75,000,000
18 shall be available only to the extent necessary for addi-
19 tional State allocations to administer unemployment com-
20 pensation laws to finance increases in the number of un-
21 employment insurance claims filed and claims paid or
22 changes in a State law: *Provided*, That to the extent that
23 the Average Weekly Insured Unemployment (AWIU) for
24 fiscal year 2000 is projected by the Department of Labor
25 to exceed 2,638,000, an additional \$28,600,000 shall be

1 available for obligation for every 100,000 increase in the
2 AWIU level (including a pro rata amount for any incre-
3 ment less than 100,000) from the Employment Security
4 Administration Account of the Unemployment Trust
5 Fund: *Provided further*, That funds appropriated in this
6 Act which are used to establish a national one-stop career
7 center network may be obligated in contracts, grants or
8 agreements with non-State entities: *Provided further*, That
9 funds appropriated under this Act for activities authorized
10 under the Wagner-Peyser Act, as amended, and title III
11 of the Social Security Act, may be used by the States to
12 fund integrated Employment Service and Unemployment
13 Insurance automation efforts, notwithstanding cost alloca-
14 tion principles prescribed under Office of Management
15 and Budget Circular A-87.

16 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
17 OTHER FUNDS

18 For repayable advances to the Unemployment Trust
19 Fund as authorized by sections 905(d) and 1203 of the
20 Social Security Act, as amended, and to the Black Lung
21 Disability Trust Fund as authorized by section 9501(e)(1)
22 of the Internal Revenue Code of 1954, as amended; and
23 for nonrepayable advances to the Unemployment Trust
24 Fund as authorized by section 8509 of title 5, United
25 States Code, and to the “Federal unemployment benefits

1 and allowances” account, to remain available until Sep-
2 tember 30, 2001, \$356,000,000.

3 In addition, for making repayable advances to the
4 Black Lung Disability Trust Fund in the current fiscal
5 year after September 15, 2000, for costs incurred by the
6 Black Lung Disability Trust Fund in the current fiscal
7 year, such sums as may be necessary.

8 PROGRAM ADMINISTRATION

9 For expenses of administering employment and train-
10 ing programs, \$94,410,000, including \$6,360,000 to sup-
11 port up to 75 full-time equivalent staff, the majority of
12 which will be term Federal appointments lasting no more
13 than one year, to administer welfare-to-work grants, to-
14 gether with not to exceed \$43,716,000, which may be ex-
15 pended from the Employment Security Administration ac-
16 count in the Unemployment Trust Fund.

17 PENSION AND WELFARE BENEFITS ADMINISTRATION

18 SALARIES AND EXPENSES

19 For necessary expenses for the Pension and Welfare
20 Benefits Administration, \$90,000,000.

21 PENSION BENEFIT GUARANTY CORPORATION

22 PENSION BENEFIT GUARANTY CORPORATION FUND

23 The Pension Benefit Guaranty Corporation is author-
24 ized to make such expenditures, including financial assist-
25 ance authorized by section 104 of Public Law 96-364,
26 within limits of funds and borrowing authority available

1 to such Corporation, and in accord with law, and to make
2 such contracts and commitments without regard to fiscal
3 year limitations as provided by section 104 of the Govern-
4 ment Corporation Control Act, as amended (31 U.S.C.
5 9104), as may be necessary in carrying out the program
6 through September 30, 2000, for such Corporation: *Pro-*
7 *vided*, That not to exceed \$10,958,000 shall be available
8 for administrative expenses of the Corporation: *Provided*
9 *further*, That expenses of such Corporation in connection
10 with the termination of pension plans, for the acquisition,
11 protection or management, and investment of trust assets,
12 and for benefits administration services shall be consid-
13 ered as non-administrative expenses for the purposes here-
14 of, and excluded from the above limitation.

15 EMPLOYMENT STANDARDS ADMINISTRATION

16 SALARIES AND EXPENSES

17 For necessary expenses for the Employment Stand-
18 ards Administration, including reimbursement to State,
19 Federal, and local agencies and their employees for inspec-
20 tion services rendered, \$312,076,000, together with
21 \$1,924,000 which may be expended from the Special Fund
22 in accordance with sections 39(c), 44(d) and 44(j) of the
23 Longshore and Harbor Workers' Compensation Act: *Pro-*
24 *vided*, That \$2,000,000 shall be for the development of
25 an alternative system for the electronic submission of re-

1 ports as required to be filed under the Labor-Management
2 Reporting and Disclosure Act of 1959, as amended, and
3 for a computer database of the information for each sub-
4 mission by whatever means, that is indexed and easily
5 searchable by the public via the Internet: *Provided further,*
6 That the Secretary of Labor is authorized to accept, re-
7 tain, 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
26 the current or any prior fiscal year authorized by title 5,

1 chapter 81 of the United States Code; continuation of ben-
2 efits as provided for under the head “Civilian War Bene-
3 fits” in the Federal Security Agency Appropriation Act,
4 1947; the Employees’ Compensation Commission Appro-
5 priation Act, 1944; and sections 4(c) and 5(f) of the War
6 Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per-
7 cent of the additional compensation and benefits required
8 by Section 10(h) of the Longshore and Harbor Workers’
9 Compensation Act, as amended, \$79,000,000, together
10 with such amounts as may be necessary to be charged to
11 the subsequent year appropriation for the payment of
12 compensation and other benefits for any period subse-
13 quent to August 15 of the current year: *Provided*, That
14 amounts appropriated may be used under section 8104 of
15 title 5, United States Code, by the Secretary of Labor to
16 reimburse an employer, who is not the employer at the
17 time of injury, for portions of the salary of a reemployed,
18 disabled beneficiary: *Provided further*, That balances of re-
19 imbursements unobligated on September 30, 1999, shall
20 remain available until expended for the payment of com-
21 pensation, benefits, and expenses: *Provided further*, That
22 in addition there shall be transferred to this appropriation
23 from the Postal Service and from any other corporation
24 or instrumentality required under section 8147(c) of title
25 5, United States Code, to pay an amount for its fair share

1 of the cost of administration, such sums as the Secretary
2 determines to be the cost of administration for employees
3 of such fair share entities through September 30, 2000:
4 *Provided further*, That of those funds transferred to this
5 account from the fair share entities to pay the cost of ad-
6 ministration, \$21,849,000 shall be made available to the
7 Secretary as follows: for the operation of and enhancement
8 to the automated data processing systems, including docu-
9 ment imaging and medical bill review, in support of Fed-
10 eral Employees' Compensation Act administration,
11 \$13,433,000; for program staff training to operate the
12 new imaging system, \$1,300,000; for the periodic roll re-
13 view program, \$7,116,000; and the remaining funds shall
14 be paid into the Treasury as miscellaneous receipts: *Pro-*
15 *vided further*, That the Secretary may require that any
16 person filing a notice of injury or a claim for benefits
17 under chapter 81 of title 5, United States Code, or 33
18 U.S.C. 901 et seq., provide as part of such notice and
19 claim, such identifying information (including Social Secu-
20 rity account number) as such regulations may prescribe.

21 BLACK LUNG DISABILITY TRUST FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For payments from the Black Lung Disability Trust
24 Fund, \$1,013,266,000, of which \$963,506,000 shall be
25 available until September 30, 2001, for payment of all
26 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 \$28,676,000 shall
4 be available for transfer to Employment Standards Ad-
5 ministration, Salaries and Expenses, \$20,422,000 for
6 transfer to Departmental Management, Salaries and Ex-
7 penses, \$306,000 for transfer to Departmental Manage-
8 ment, Office of Inspector General, and \$356,000 for pay-
9 ment into miscellaneous receipts for the expenses of the
10 Department of Treasury, for expenses of operation and
11 administration of the Black Lung Benefits program as au-
12 thorized by section 9501(d)(5) of that Act: *Provided*,
13 That, in addition, such amounts as may be necessary may
14 be charged to the subsequent year appropriation for the
15 payment of compensation, interest, or other benefits for
16 any period subsequent to August 15 of the current year.

17 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
18 SALARIES AND EXPENSES

19 For necessary expenses for the Occupational Safety
20 and Health Administration, \$337,408,000, including not
21 to exceed \$76,080,000 which shall be the maximum
22 amount available for grants to States under section 23(g)
23 of the Occupational Safety and Health Act, which grants
24 shall be no less than 50 percent of the costs of State occu-
25 pational safety and health programs required to be in-

1 curred under plans approved by the Secretary under sec-
2 tion 18 of the Occupational Safety and Health Act of
3 1970; and, in addition, notwithstanding 31 U.S.C. 3302,
4 the Occupational Safety and Health Administration may
5 retain up to \$750,000 per fiscal year of training institute
6 course tuition fees, otherwise authorized by law to be col-
7 lected, and may utilize such sums for occupational safety
8 and health training and education grants: *Provided, That,*
9 notwithstanding 31 U.S.C. 3302, the Secretary of Labor
10 is authorized, during the fiscal year ending September 30,
11 2000, to collect and retain fees for services provided to
12 Nationally Recognized Testing Laboratories, and may uti-
13 lize such sums, in accordance with the provisions of 29
14 U.S.C. 9a, to administer national and international lab-
15 oratory recognition programs that ensure the safety of
16 equipment and products used by workers in the workplace:
17 *Provided further,* That none of the funds appropriated
18 under this paragraph shall be obligated or expended to
19 prescribe, issue, administer, or enforce any standard, rule,
20 regulation, or order under the Occupational Safety and
21 Health Act of 1970 which is applicable to any person who
22 is engaged in a farming operation which does not maintain
23 a temporary labor camp and employs ten or fewer employ-
24 ees: *Provided further,* That no funds appropriated under
25 this paragraph shall be obligated or expended to admin-

1 ister or enforce any standard, rule, regulation, or order
2 under the Occupational Safety and Health Act of 1970
3 with respect to any employer of ten or fewer employees
4 who is included within a category having an occupational
5 injury lost workday case rate, at the most precise Stand-
6 ard Industrial Classification Code for which such data are
7 published, less than the national average rate as such
8 rates are most recently published by the Secretary, acting
9 through the Bureau of Labor Statistics, in accordance
10 with section 24 of that Act (29 U.S.C. 673), except—

11 (1) to provide, as authorized by such Act, con-
12 sultation, technical assistance, educational and train-
13 ing services, and to conduct surveys and studies;

14 (2) to conduct an inspection or investigation in
15 response to an employee complaint, to issue a cita-
16 tion for violations found during such inspection, and
17 to assess a penalty for violations which are not cor-
18 rected within a reasonable abatement period and for
19 any willful violations found;

20 (3) to take any action authorized by such Act
21 with respect to imminent dangers;

22 (4) to take any action authorized by such Act
23 with respect to health hazards;

24 (5) to take any action authorized by such Act
25 with respect to a report of an employment accident

1 which is fatal to one or more employees or which re-
2 sults in hospitalization of two or more employees,
3 and to take any action pursuant to such investiga-
4 tion authorized by such Act; and

5 (6) to take any action authorized by such Act
6 with respect to complaints of discrimination against
7 employees for exercising rights under such Act:

8 *Provided further,* That the foregoing proviso shall not
9 apply to any person who is engaged in a farming operation
10 which does not maintain a temporary labor camp and em-
11 ploys ten or fewer employees.

12 MINE SAFETY AND HEALTH ADMINISTRATION

13 SALARIES AND EXPENSES

14 For necessary expenses for the Mine Safety and
15 Health Administration, \$211,165,000, including purchase
16 and bestowal of certificates and trophies in connection
17 with mine rescue and first-aid work, and the hire of pas-
18 senger motor vehicles; including not to exceed \$750,000
19 may be collected by the National Mine Health and Safety
20 Academy for room, board, tuition, and the sale of training
21 materials, otherwise authorized by law to be collected, to
22 be available for mine safety and health education and
23 training activities, notwithstanding 31 U.S.C. 3302; the
24 Secretary is authorized to accept lands, buildings, equip-
25 ment, and other contributions from public and private

1 sources and to prosecute projects in cooperation with other
2 agencies, Federal, State, or private; the Mine Safety and
3 Health Administration is authorized to promote health
4 and safety education and training in the mining commu-
5 nity through cooperative programs with States, industry,
6 and safety associations; and any funds available to the De-
7 partment may be used, with the approval of the Secretary,
8 to provide for the costs of mine rescue and survival oper-
9 ations in the event of a major disaster: *Provided*, That
10 none of the funds appropriated under this paragraph shall
11 be obligated or expended to carry out section 115 of the
12 Federal Mine Safety and Health Act of 1977 or to carry
13 out that portion of section 104(g)(1) of such Act relating
14 to the enforcement of any training requirements, with re-
15 spect to shell dredging, or with respect to any sand, gravel,
16 surface stone, surface clay, colloidal phosphate, or surface
17 limestone mine prior to June 1, 2000.

18 BUREAU OF LABOR STATISTICS

19 SALARIES AND EXPENSES

20 For necessary expenses for the Bureau of Labor Sta-
21 tistics, including advances or reimbursements to State,
22 Federal, and local agencies and their employees for serv-
23 ices rendered, \$340,551,000, of which \$6,986,000 shall be
24 for expenses of revising the Consumer Price Index and
25 shall remain available until September 30, 2001, together

1 with not to exceed \$54,146,000, which may be expended
2 from the Employment Security Administration account in
3 the Unemployment Trust Fund.

4 DEPARTMENTAL MANAGEMENT

5 SALARIES AND EXPENSES

6 For necessary expenses for Departmental Manage-
7 ment, including the hire of three sedans, and including
8 up to \$6,750,000 for the President's Committee on Em-
9 ployment of People with Disabilities, \$190,832,000; to-
10 gether with not to exceed \$299,000, which may be ex-
11 pended from the Employment Security Administration ac-
12 count in the Unemployment Trust Fund: *Provided*, That
13 no funds made available by this Act may be used by the
14 Solicitor of Labor to participate in a review in any United
15 States court of appeals of any decision made by the Bene-
16 fits Review Board under section 21 of the Longshore and
17 Harbor Workers' Compensation Act (33 U.S.C. 921)
18 where such participation is precluded by the decision of
19 the United States Supreme Court in *Director, Office of*
20 *Workers' Compensation Programs v. Newport News Ship-*
21 *building*, 115 S. Ct.1278 (1995), notwithstanding any pro-
22 visions to the contrary contained in Rule 15 of the Federal
23 Rules of Appellate Procedure: *Provided further*, That no
24 funds made available by this Act may be used by the Sec-
25 retary of Labor to review a decision under the Longshore

1 and Harbor Workers' Compensation Act (33 U.S.C. 901
2 et seq.) that has been appealed and that has been pending
3 before the Benefits Review Board for more than 12
4 months: *Provided further*, That any such decision pending
5 a review by the Benefits Review Board for more than one
6 year shall be considered affirmed by the Benefits Review
7 Board on the one-year anniversary of the filing of the ap-
8 peal, and shall be considered the final order of the Board
9 for purposes of obtaining a review in the United States
10 courts of appeals: *Provided further*, That these provisions
11 shall not be applicable to the review or appeal of any deci-
12 sion issued under the Black Lung Benefits Act (30 U.S.C.
13 901 et seq.).

14 ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT
15 AND TRAINING

16 Not to exceed \$182,719,000 may be derived from the
17 Employment Security Administration account in the Un-
18 employment Trust Fund to carry out the provisions of 38
19 U.S.C. 4100–4110A, 4212, 4214, and 4321–4327, and
20 Public Law 103–353, and which shall be available for obli-
21 gation by the States through December 31, 2000.

22 OFFICE OF INSPECTOR GENERAL

23 For salaries and expenses of the Office of Inspector
24 General in carrying out the provisions of the Inspector
25 General Act of 1978, as amended, \$43,852,000, together
26 with not to exceed \$3,648,000, which may be expended

1 from the Employment Security Administration account in
2 the Unemployment Trust Fund.

3 GENERAL PROVISIONS

4 SEC. 101. None of the funds appropriated in this title
5 for the Job Corps shall be used to pay the compensation
6 of an individual, either as direct costs or any proration
7 as an indirect cost, at a rate in excess of Executive Level
8 II.

9 (TRANSFER OF FUNDS)

10 SEC. 102. Not to exceed 1 percent of any discre-
11 tionary funds (pursuant to the Balanced Budget and
12 Emergency Deficit Control Act, as amended) which are
13 appropriated for the current fiscal year for the Depart-
14 ment of Labor in this Act may be transferred between ap-
15 propriations, but no such appropriation shall be increased
16 by more than 3 percent by any such transfer: *Provided*,
17 That the Appropriations Committees of both Houses of
18 Congress are notified at least fifteen days in advance of
19 any transfer.

20 SEC. 103. None of the funds made available in this
21 title may be used to implement, administer, or enforce the
22 rule entitled “Procedures for Predetermination of Wage
23 Rates” published by the Wage and Hour Division, Em-
24 ployment Standards Administration, Department of Labor
25 on April 9, 1999 (64 Fed. Reg. 17441 et seq.).

1 SEC. 104. None of the funds made available in this
2 Act may be used to implement, administer, or enforce the
3 rules revising 29 CFR parts 2520 and 2560 published by
4 the Pension and Welfare Benefits Administration on Sep-
5 tember 9, 1998, in Volume 63, No. 174 of the Federal
6 Register.

7 This title may be cited as the ‘‘Department of Labor
8 Appropriations Act, 2000’’.

9 TITLE II—DEPARTMENT OF HEALTH AND
10 HUMAN SERVICES

11 HEALTH RESOURCES AND SERVICES ADMINISTRATION

12 HEALTH RESOURCES AND SERVICES

13 For carrying out titles II, III, VII, VIII, X, XII, XIX,
14 and XXVI of the Public Health Service Act, section
15 427(a) of the Federal Coal Mine Health and Safety Act,
16 title V and section 1820 of the Social Security Act, the
17 Health Care Quality Improvement Act of 1986, as amend-
18 ed, and the Native Hawaiian Health Care Act of 1988,
19 as amended, \$4,204,395,000, of which \$150,000 shall re-
20 main available until expended for interest subsidies on
21 loan guarantees made prior to fiscal year 1981 under part
22 B of title VII of the Public Health Service Act, and of
23 which \$25,000,000 from general revenues, notwith-
24 standing section 1820(j) of the Social Security Act, shall
25 be available for carrying out the Medicare rural hospital

1 flexibility grants program under section 1820 of such Act:
2 *Provided*, That the Division of Federal Occupational
3 Health may utilize personal services contracting to employ
4 professional management/administrative and occupational
5 health professionals: *Provided further*, That of the funds
6 made available under this heading, \$250,000 shall be
7 available until expended for facilities renovations at the
8 Gillis W. Long Hansen's Disease Center: *Provided further*,
9 That in addition to fees authorized by section 427(b) of
10 the Health Care Quality Improvement Act of 1986, fees
11 shall be collected for the full disclosure of information
12 under the Act sufficient to recover the full costs of oper-
13 ating the National Practitioner Data Bank, and shall re-
14 main available until expended to carry out that Act: *Pro-*
15 *vided further*, That no more than \$5,000,000 is available
16 for carrying out the provisions of Public Law 104-73: *Pro-*
17 *vided further*, That of the funds made available under this
18 heading, \$215,000,000 shall be for the program under
19 title X of the Public Health Service Act to provide for
20 voluntary family planning projects: *Provided further*, That
21 amounts provided to said projects under such title shall
22 not be expended for abortions, that all pregnancy coun-
23 seling shall be nondirective, and that such amounts shall
24 not be expended for any activity (including the publication
25 or distribution of literature) that in any way tends to pro-

1 mote public support or opposition to any legislative pro-
2 posal or candidate for public office: *Provided further*, That
3 \$500,000,000 shall be for State AIDS Drug Assistance
4 Programs authorized by section 2616 of the Public Health
5 Service Act: *Provided further*, That, notwithstanding sec-
6 tion 502(a)(1) of the Social Security Act, not to exceed
7 \$198,742,000 is available for carrying out special projects
8 of regional and national significance pursuant to section
9 501(a)(2) of such Act.

10 MEDICAL FACILITIES GUARANTEE AND LOAN FUND

11 FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

12 For carrying out subsections (d) and (e) of section
13 1602 of the Public Health Service Act, \$1,000,000, to-
14 gether with any amounts received by the Secretary in con-
15 nection with loans and loan guarantees under title VI of
16 the Public Health Service Act, to be available without fis-
17 cal year limitation for the payment of interest subsidies.
18 During the fiscal year, no commitments for direct loans
19 or loan guarantees shall be made.

20 HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

21 Such sums as may be necessary to carry out the pur-
22 pose of the program, as authorized by title VII of the Pub-
23 lic Health Service Act, as amended. For administrative ex-
24 penses to carry out the guaranteed loan program, includ-
25 ing section 709 of the Public Health Service Act,
26 \$3,688,000.

1 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

2 For payments from the Vaccine Injury Compensation
3 Program Trust Fund, such sums as may be necessary for
4 claims associated with vaccine-related injury or death with
5 respect to vaccines administered after September 30,
6 1988, pursuant to subtitle 2 of title XXI of the Public
7 Health Service Act, to remain available until expended:
8 *Provided*, That for necessary administrative expenses, not
9 to exceed \$3,000,000 shall be available from the Trust
10 Fund to the Secretary of Health and Human Services.

11 CENTERS FOR DISEASE CONTROL AND PREVENTION

12 DISEASE CONTROL, RESEARCH, AND TRAINING

13 To carry out titles II, III, VII, XI, XV, XVII, XIX,
14 and XXVI of the Public Health Service Act, sections 101,
15 102, 103, 201, 202, 203, 301, and 501 of the Federal
16 Mine Safety and Health Act of 1977, sections 20, 21, and
17 22 of the Occupational Safety and Health Act of 1970,
18 title IV of the Immigration and Nationality Act and sec-
19 tion 501 of the Refugee Education Assistance Act of 1980;
20 including insurance of official motor vehicles in foreign
21 countries; and hire, maintenance, and operation of air-
22 craft, \$2,621,476,000, of which \$40,000,000 shall remain
23 available until expended for equipment and construction
24 and renovation of facilities, and in addition, such sums
25 as may be derived from authorized user fees, which shall

1 be credited to this account: *Provided*, That in addition to
2 amounts provided herein, up to \$71,793,000 shall be
3 available from amounts available under section 241 of the
4 Public Health Service Act, to carry out the National Cen-
5 ter for Health Statistics surveys: *Provided further*, That
6 none of the funds made available for injury prevention and
7 control at the Centers for Disease Control and Prevention
8 may be used to advocate or promote gun control: *Provided*
9 *further*, That the Director may redirect the total amount
10 made available under authority of Public Law 101-502,
11 section 3, dated November 3, 1990, to activities the Direc-
12 tor may so designate: *Provided further*, That the Congress
13 is to be notified promptly of any such transfer.

14 In addition, \$51,000,000, to be derived from the Vio-
15 lent Crime Reduction Trust Fund, for carrying out sec-
16 tions 40151 and 40261 of Public Law 103-322.

17 NATIONAL INSTITUTES OF HEALTH

18 NATIONAL CANCER INSTITUTE

19 For carrying out section 301 and title IV of the Pub-
20 lic Health Service Act with respect to cancer,
21 \$3,163,417,000.

22 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

23 For carrying out section 301 and title IV of the Pub-
24 lic Health Service Act with respect to cardiovascular, lung,
25 and blood diseases, and blood and blood products,
26 \$1,937,404,000.

1 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL
2 RESEARCH

3 For carrying out section 301 and title IV of the Pub-
4 lic Health Service Act with respect to dental disease,
5 \$256,022,000.

6 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
7 KIDNEY DISEASES

8 For carrying out section 301 and title IV of the Pub-
9 lic Health Service Act with respect to diabetes and diges-
10 tive and kidney disease, \$1,087,455,000.

11 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
12 AND STROKE

13 For carrying out section 301 and title IV of the Pub-
14 lic Health Service Act with respect to neurological dis-
15 orders and stroke, \$979,281,000.

16 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
17 DISEASES

18 For carrying out section 301 and title IV of the Pub-
19 lic Health Service Act with respect to allergy and infec-
20 tious diseases, \$1,694,019,000.

21 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

22 For carrying out section 301 and title IV of the Pub-
23 lic Health Service Act with respect to general medical
24 sciences, \$1,298,551,000.

1 NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN
2 DEVELOPMENT

3 For carrying out section 301 and title IV of the Pub-
4 lic Health Service Act with respect to child health and
5 human development, \$815,970,000.

6 NATIONAL EYE INSTITUTE

7 For carrying out section 301 and title IV of the Pub-
8 lic Health Service Act with respect to eye diseases and
9 visual disorders, \$428,594,000.

10 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
11 SCIENCES

12 For carrying out sections 301 and 311 and title IV
13 of the Public Health Service Act with respect to environ-
14 mental health sciences, \$419,009,000.

15 NATIONAL INSTITUTE ON AGING

16 For carrying out section 301 and title IV of the Pub-
17 lic Health Service Act with respect to aging,
18 \$651,665,000.

19 NATIONAL INSTITUTE OF ARTHRITIS AND
20 MUSCULOSKELETAL AND SKIN DISEASES

21 For carrying out section 301 and title IV of the Pub-
22 lic Health Service Act with respect to arthritis and mus-
23 culoskeletal and skin diseases, \$333,378,000.

1 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
2 COMMUNICATION DISORDERS

3 For carrying out section 301 and title IV of the Pub-
4 lic Health Service Act with respect to deafness and other
5 communication disorders, \$251,218,000.

6 NATIONAL INSTITUTE OF NURSING RESEARCH

7 For carrying out section 301 and title IV of the Pub-
8 lic Health Service Act with respect to nursing research,
9 \$76,204,000.

10 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
11 ALCOHOLISM

12 For carrying out section 301 and title IV of the Pub-
13 lic Health Service Act with respect to alcohol abuse and
14 alcoholism, \$279,901,000.

15 NATIONAL INSTITUTE ON DRUG ABUSE

16 For carrying out section 301 and title IV of the Pub-
17 lic Health Service Act with respect to drug abuse,
18 \$656,551,000.

19 NATIONAL INSTITUTE OF MENTAL HEALTH

20 For carrying out section 301 and title IV of the Pub-
21 lic Health Service Act with respect to mental health,
22 \$930,436,000.

23 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

24 For carrying out section 301 and title IV of the Pub-
25 lic Health Service Act with respect to human genome re-
26 search, \$308,012,000.

1 NATIONAL CENTER FOR RESEARCH RESOURCES

2 For carrying out section 301 and title IV of the Pub-
3 lic Health Service Act with respect to research resources
4 and general research support grants, \$639,251,000: *Pro-*
5 *vided*, That none of these funds shall be used to pay recipi-
6 ents of the general research support grants program any
7 amount for indirect expenses in connection with such
8 grants: *Provided further*, That \$30,000,000 shall be for
9 extramural facilities construction grants.

10 JOHN E. FOGARTY INTERNATIONAL CENTER

11 For carrying out the activities at the John E.
12 Fogarty International Center, \$40,190,000.

13 NATIONAL LIBRARY OF MEDICINE

14 For carrying out section 301 and title IV of the Pub-
15 lic Health Service Act with respect to health information
16 communications, \$202,027,000, of which \$4,000,000 shall
17 be available until expended for improvement of informa-
18 tion systems: *Provided*, That in fiscal year 2000, the Li-
19 brary may enter into personal services contracts for the
20 provision of services in facilities owned, operated, or con-
21 structed under the jurisdiction of the National Institutes
22 of Health.

1 NATIONAL CENTER FOR COMPLEMENTARY AND
2 ALTERNATIVE MEDICINE

3 For carrying out section 301 and title IV of the Pub-
4 lic Health Service Act with respect to complementary and
5 alternative medicine, \$68,000,000.

6 OFFICE OF THE DIRECTOR
7 (INCLUDING TRANSFER OF FUNDS)

8 For carrying out the responsibilities of the Office of
9 the Director, National Institutes of Health, \$270,383,000,
10 of which \$44,953,000 shall be for the Office of AIDS Re-
11 search: *Provided*, That funding shall be available for the
12 purchase of not to exceed twenty-nine passenger motor ve-
13 hicles for replacement only: *Provided further*, That the Di-
14 rector may direct up to 1 percent of the total amount
15 made available in this or any other Act to all National
16 Institutes of Health appropriations to activities the Direc-
17 tor may so designate: *Provided further*, That no such ap-
18 propriation shall be decreased by more than 1 percent by
19 any such transfers and that the Congress is promptly noti-
20 fied of the transfer: *Provided further*, That NIH is author-
21 ized to collect third party payments for the cost of clinical
22 services that are incurred in National Institutes of Health
23 research facilities and that such payments shall be cred-
24 ited to the National Institutes of Health Management
25 Fund: *Provided further*, That all funds credited to the
26 NIH Management Fund shall remain available for one fis-

1 cal year after the fiscal year in which they are deposited:
2 *Provided further*, That up to \$500,000 shall be available
3 to carry out section 499 of the Public Health Service Act:
4 *Provided further*, That, notwithstanding section
5 499(k)(10) of the Public Health Service Act, funds from
6 the Foundation for the National Institutes of Health may
7 be transferred to the National Institutes of Health.

8 BUILDINGS AND FACILITIES

9 For the study of, construction of, and acquisition of
10 equipment for, facilities of or used by the National Insti-
11 tutes of Health, including the acquisition of real property,
12 \$108,376,000, to remain available until expended.

13 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

14 ADMINISTRATION

15 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

16 For carrying out titles V and XIX of the Public
17 Health Service Act with respect to substance abuse and
18 mental health services, the Protection and Advocacy for
19 Mentally Ill Individuals Act of 1986, and section 301 of
20 the Public Health Service Act with respect to program
21 management, \$2,413,731,000.

22 AGENCY FOR HEALTH CARE POLICY AND RESEARCH

23 HEALTH CARE POLICY AND RESEARCH

24 For carrying out titles III and IX of the Public
25 Health Service Act, and part A of title XI of the Social
26 Security Act, \$104,403,000; in addition, amounts received

1 from Freedom of Information Act fees, reimbursable and
2 interagency agreements, and the sale of data tapes shall
3 be credited to this appropriation and shall remain avail-
4 able until expended: *Provided*, That the amount made
5 available pursuant to section 926(b) of the Public Health
6 Service Act shall not exceed \$70,647,000.

7 HEALTH CARE FINANCING ADMINISTRATION

8 GRANTS TO STATES FOR MEDICAID

9 For carrying out, except as otherwise provided, titles
10 XI and XIX of the Social Security Act, \$86,087,393,000,
11 to remain available until expended.

12 For making, after May 31, 2000, payments to States
13 under title XIX of the Social Security Act for the last
14 quarter of fiscal year 2000 for unanticipated costs, in-
15 curred for the current fiscal year, such sums as may be
16 necessary.

17 For making payments to States or in the case of sec-
18 tion 1928 on behalf of States under title XIX of the Social
19 Security Act for the first quarter of fiscal year 2001,
20 \$30,589,003,000, to remain available until expended.

21 Payment under title XIX may be made for any quar-
22 ter with respect to a State plan or plan amendment in
23 effect during such quarter, if submitted in or prior to such
24 quarter and approved in that or any subsequent quarter.

1 PAYMENTS TO HEALTH CARE TRUST FUNDS

2 For payment to the Federal Hospital Insurance and
3 the Federal Supplementary Medical Insurance Trust
4 Funds, as provided under sections 217(g) and 1844 of the
5 Social Security Act, sections 103(c) and 111(d) of the So-
6 cial Security Amendments of 1965, section 278(d) of Pub-
7 lic Law 97-248, and for administrative expenses incurred
8 pursuant to section 201(g) of the Social Security Act,
9 \$69,289,100,000.

10 PROGRAM MANAGEMENT

11 For carrying out, except as otherwise provided, titles
12 XI, XVIII, XIX, and XXI of the Social Security Act, titles
13 XIII and XXVII of the Public Health Service Act, and
14 the Clinical Laboratory Improvement Amendments of
15 1988, not to exceed \$1,752,050,000 to be transferred
16 from the Federal Hospital Insurance and the Federal Sup-
17 plementary Medical Insurance Trust Funds, as authorized
18 by section 201(g) of the Social Security Act; together with
19 all funds collected in accordance with section 353 of the
20 Public Health Service Act and such sums as may be col-
21 lected from authorized user fees and the sale of data,
22 which shall remain available until expended, and together
23 with administrative fees collected relative to Medicare
24 overpayment recovery activities, which shall remain avail-
25 able until expended: *Provided*, That all funds derived in
26 accordance with 31 U.S.C. 9701 from organizations estab-

1 lished under title XIII of the Public Health Service Act
2 shall be credited to and available for carrying out the pur-
3 poses of this appropriation: *Provided further*, That
4 \$18,000,000 appropriated under this heading for the man-
5 aged care system redesign shall remain available until ex-
6 pended: *Provided further*, That the Secretary of Health
7 and Human Services is directed to collect, in aggregate,
8 \$15,000,000 in fees in fiscal year 2000 from
9 Medicare+Choice organizations pursuant to section
10 1857(e)(2) of the Social Security Act and from eligible
11 organizations with risk-sharing contracts under section
12 1876 of that Act pursuant to section 1876(k)(4)(D) of
13 that Act: *Provided further*, That, for the current fiscal
14 year, not more than \$560,000,000 may be made available
15 under section 1817(k)(4) of the Social Security Act (42
16 U.S.C. 1395i(k)(4)) from the Health Care Fraud and
17 Abuse Control Account of the Federal Hospital Insurance
18 Trust Fund to carry out the Medicare Integrity Program
19 under section 1893 of such Act.

20 HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN
21 GUARANTEE FUND

22 For carrying out subsections (d) and (e) of section
23 1308 of the Public Health Service Act, any amounts re-
24 ceived by the Secretary in connection with loans and loan
25 guarantees under title XIII of the Public Health Service
26 Act, to be available without fiscal year limitation for the

1 payment of outstanding obligations. During fiscal year
2 2000, no commitments for direct loans or loan guarantees
3 shall be made.

4 ADMINISTRATION FOR CHILDREN AND FAMILIES
5 PAYMENTS TO STATES FOR CHILD SUPPORT
6 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

7 For making payments to States or other non-Federal
8 entities under titles I, IV–D, X, XI, XIV, and XVI of the
9 Social Security Act and the Act of July 5, 1960 (24
10 U.S.C. ch. 9), for the first quarter of fiscal year 2001,
11 \$650,000,000.

12 For making payments to each State for carrying out
13 the program of Aid to Families with Dependent Children
14 under title IV–A of the Social Security Act before the ef-
15 fective date of the program of Temporary Assistance to
16 Needy Families (TANF) with respect to such State, such
17 sums as may be necessary: *Provided*, That the sum of the
18 amounts available to a State with respect to expenditures
19 under such title IV–A in fiscal year 1997 under this ap-
20 propriation and under such title IV–A as amended by the
21 Personal Responsibility and Work Opportunity Reconcili-
22 ation Act of 1996 shall not exceed the limitations under
23 section 116(b) of such Act.

24 For making, after May 31 of the current fiscal year,
25 payments to States or other non-Federal entities under

1 titles I, IV–D, X, XI, XIV, and XVI of the Social Security
2 Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for
3 the last three months of the current year for unanticipated
4 costs, incurred for the current fiscal year, such sums as
5 may be necessary.

6 LOW INCOME HOME ENERGY ASSISTANCE

7 For making payments under title XXVI of the Omni-
8 bus Budget Reconciliation Act of 1981, \$1,100,000,000,
9 to be available for obligation in the period October 1,
10 2000, through September 30, 2001.

11 For making payments under title XXVI of such Act,
12 \$300,000,000: *Provided*, That these funds are hereby des-
13 ignated by Congress to be emergency requirements pursu-
14 ant to section 251(b)(2)(A) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985: *Provided further*,
16 That these funds shall be made available only after sub-
17 mission to Congress of a formal budget request by the
18 President that includes designation of the entire amount
19 of the request as an emergency requirement as defined in
20 the Balanced Budget and Emergency Deficit Control Act
21 of 1985.

22 The \$1,100,000,000 provided in the first paragraph
23 under this heading in the Departments of Labor, Health
24 and Human Services, and Education, and Related Agen-
25 cies Appropriations Act, 1999 (as contained in section
26 101(f) of division A of Public Law 105–277) is hereby

1 designated by the Congress as an emergency requirement
2 pursuant to section 251(b)(2)(A) of the Balanced Budget
3 and Emergency Deficit Control Act of 1985: *Provided*,
4 That such funds shall be available only if the President
5 submits to the Congress one official budget request for
6 \$1,100,000,000 that includes designation of the entire
7 amount as an emergency requirement pursuant to such
8 section: *Provided further*, That such funds shall be distrib-
9 uted in accordance with section 2604 of the Omnibus
10 Budget Reconciliation Act of 1981 (42 U.S.C. 8623),
11 other than subsection (e) of such section.

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 \$416,000,000: *Provided*, That funds appropriated pursu-
18 ant to section 414(a) of the Immigration and Nationality
19 Act under Public Law 105-78 for fiscal year 1998 and
20 under Public Law 105-277 for fiscal year 1999 shall be
21 available for the costs of assistance provided and other ac-
22 tivities through September 30, 2001.

23 For carrying out section 5 of the Torture Victims Re-
24 lief Act of 1998 (Public Law 105-320), \$7,500,000.

1 SOCIAL SERVICES BLOCK GRANT

2 For making grants to States pursuant to section
3 2002 of the Social Security Act, \$1,909,000,000: *Pro-*
4 *vided*, That (1) notwithstanding section 2003(c) of such
5 Act, as amended, the amount specified for allocation under
6 such section for fiscal year 2000 shall be \$1,909,000,000
7 and (2) notwithstanding subparagraph (B) of section
8 404(d)(2) of such Act, the applicable percent specified
9 under such subparagraph for a State to carry out State
10 programs pursuant to title XX of such Act for fiscal year
11 2000 shall be 4.25 percent.

12 CHILDREN AND FAMILIES SERVICES PROGRAMS

13 (INCLUDING RESCISSIONS)

14 For carrying out, except as otherwise provided, the
15 Runaway and Homeless Youth Act, the Developmental
16 Disabilities Assistance and Bill of Rights Act, the Head
17 Start Act, the Child Abuse Prevention and Treatment Act,
18 the Native American Programs Act of 1974, title II of
19 Public Law 95–266 (adoption opportunities), the Adoption
20 and Safe Families Act of 1997 (Public Law 105–89), the
21 Abandoned Infants Assistance Act of 1988, part B(1) of
22 title IV and sections 413, 429A, 1110, and 1115 of the
23 Social Security Act; for making payments under the Com-
24 munity Services Block Grant Act, section 473A of the So-
25 cial Security Act, and title IV of Public Law 105–285;
26 and for necessary administrative expenses to carry out

1 said Acts and titles I, IV, X, XI, XIV, XVI, and XX of
2 the Social Security Act, the Act of July 5, 1960 (24
3 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of
4 1981, title IV of the Immigration and Nationality Act, sec-
5 tion 501 of the Refugee Education Assistance Act of 1980,
6 section 5 of the Torture Victims Relief Act of 1998 (Public
7 Law 105–320), sections 40155, 40211, and 40241 of Pub-
8 lic Law 103–322 and section 126 and titles IV and V of
9 Public Law 100–485, \$6,135,216,000, of which
10 \$20,000,000, to remain available until September 30,
11 2001, shall be for grants to States for adoption incentive
12 payments, as authorized by section 473A of title IV of the
13 Social Security Act (42 U.S.C. 670–679); of which
14 \$568,555,000 shall be for making payments under the
15 Community Services Block Grant Act; and of which
16 \$4,760,000,000 shall be for making payments under the
17 Head Start Act, of which \$1,400,000,000 shall become
18 available October 1, 2000, and remain available through
19 September 30, 2001: *Provided*, That to the extent Com-
20 munity Services Block Grant funds are distributed as
21 grant funds by a State to an eligible entity as provided
22 under the Act, and have not been expended by such entity,
23 they shall remain with such entity for carryover into the
24 next fiscal year for expenditure by such entity consistent
25 with program purposes.

1 In addition, \$105,000,000, to be derived from the
2 Violent Crime Reduction Trust Fund for carrying out sec-
3 tions 40155, 40211, and 40241 of Public Law 103-322.

4 Funds appropriated for fiscal year 2000 under sec-
5 tion 429A(e), part B of title IV of the Social Security Act
6 shall be reduced by \$6,000,000.

7 Funds appropriated for fiscal year 2000 under sec-
8 tion 413(h)(1) of the Social Security Act shall be reduced
9 by \$15,000,000.

10 FAMILY PRESERVATION AND SUPPORT

11 For carrying out section 430 of the Social Security
12 Act, \$295,000,000.

13 PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION
14 ASSISTANCE

15 For making payments to States or other non-Federal
16 entities under title IV-E of the Social Security Act,
17 \$4,307,300,000.

18 For making payments to States or other non-Federal
19 entities under title IV-E of the Social Security Act, for
20 the first quarter of fiscal year 2001, \$1,538,000,000.

21 ADMINISTRATION ON AGING

22 AGING SERVICES PROGRAMS

23 For carrying out, to the extent not otherwise pro-
24 vided, the Older Americans Act of 1965, as amended, and
25 sections 339A, 398, and 399 of the Public Health Service
26 Act, \$881,976,000: *Provided*, That notwithstanding sec-

1 tion 308(b)(1) of the Older Americans Act of 1965, as
2 amended, the amounts available to each State for adminis-
3 tration of the State plan under title III of such Act shall
4 be reduced not more than 5 percent below the amount that
5 was available to such State for such purpose for fiscal year
6 1995: *Provided further*, That in considering grant applica-
7 tions for nutrition services for elder Indian recipients, the
8 Assistant Secretary shall provide maximum flexibility to
9 applicants who seek to take into account subsistence, local
10 customs, and other characteristics that are appropriate to
11 the unique cultural, regional, and geographic needs of the
12 American Indian, Alaska, and Hawaiian Native commu-
13 nities to be served.

14 OFFICE OF THE SECRETARY

15 GENERAL DEPARTMENTAL MANAGEMENT

16 For necessary expenses, not otherwise provided, for
17 general departmental management, including hire of six
18 sedans, and for carrying out titles III, XVII, and XX of
19 the Public Health Service Act, and the United States-Mex-
20 ico Border Health Commission Act, \$221,936,000, of
21 which \$50,000,000 shall become available on October 1,
22 2000, and shall remain available until September 30,
23 2001, together with \$5,851,000, to be transferred and ex-
24 pended as authorized by section 201(g)(1) of the Social
25 Security Act from the Hospital Insurance Trust Fund and

1 the Supplemental Medical Insurance Trust Fund: *Pro-*
2 *vided*, That \$450,000 shall be for a contract with the Na-
3 tional Academy of Sciences to conduct a study of the pro-
4 posed tuberculosis standard promulgated by the Occupa-
5 tional Safety and Health Administration: *Provided further*,
6 That said contract shall be awarded not later than sixty
7 days after enactment of this Act: *Provided further*, That
8 said study shall be submitted to the Congress not later
9 than twelve months after the award of the contract.

10 OFFICE OF INSPECTOR GENERAL

11 For expenses necessary for the Office of Inspector
12 General in carrying out the provisions of the Inspector
13 General Act of 1978, as amended, \$29,000,000: *Provided*,
14 That, for the current fiscal year, not more than
15 \$100,000,000 may be made available under section
16 1817(k)(3)(A) of the Social Security Act (42 U.S.C.
17 1395i(k)(3)(A)) from the Health Care Fraud and Abuse
18 Control Account of the Federal Hospital Insurance Trust
19 Fund for purposes of the activities of the Office of Inspec-
20 tor General with respect to the Medicare and Medicaid
21 programs.

22 OFFICE FOR CIVIL RIGHTS

23 For expenses necessary for the Office for Civil
24 Rights, \$17,338,000, together with not to exceed
25 \$3,314,000, to be transferred and expended as authorized
26 by section 201(g)(1) of the Social Security Act from the

1 Hospital Insurance Trust Fund and the Supplemental
2 Medical Insurance Trust Fund.

3 POLICY RESEARCH

4 For carrying out, to the extent not otherwise pro-
5 vided, research studies under section 1110 of the Social
6 Security Act, \$14,000,000.

7 RETIREMENT PAY AND MEDICAL BENEFITS FOR
8 COMMISSIONED OFFICERS

9 For retirement pay and medical benefits of Public
10 Health Service Commissioned Officers as authorized by
11 law, for payments under the Retired Serviceman's Family
12 Protection Plan and Survivor Benefit Plan, for medical
13 care of dependents and retired personnel under the De-
14 pendents' Medical Care Act (10 U.S.C. ch. 55), and for
15 payments pursuant to section 229(b) of the Social Secu-
16 rity Act (42 U.S.C. 429(b)), such amounts as may be re-
17 quired during the current fiscal year.

18 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
19 FUND

20 For expenses necessary to support activities related
21 to countering potential biological, disease and chemical
22 threats to civilian populations, \$201,833,000: *Provided*,
23 That this amount is distributed as follows: Centers for
24 Disease Control and Prevention, \$118,000,000; Office of
25 the Secretary, \$30,000,000; Office of Emergency Pre-
26 paredness, \$24,600,000; and National Institutes of

1 Health, \$29,233,000. In addition, \$150,000,000 for car-
2 rying out the Department's Year 2000 computer conver-
3 sion activities, \$20,000,000 for carrying out polio eradi-
4 cation activities, and \$20,000,000 to support the Ricky
5 Ray Hemophilia Relief Fund Act: *Provided*, That the en-
6 tire amount under this heading is hereby designated by
7 Congress to be emergency requirements pursuant to sec-
8 tion 251(b)(2)(A) of the Balanced Budget and Emergency
9 Deficit Control Act of 1985, as amended: *Provided further*,
10 That the entire amount under this heading shall be made
11 available only after submission to Congress of a formal
12 budget request by the President that includes designation
13 of the entire amount of the request as an emergency re-
14 quirement as defined in the Balanced Budget and Emer-
15 gency Deficit Control Act of 1985, as amended: *Provided*
16 *further*, That no funds shall be obligated until the Depart-
17 ment of Health and Human Services submits an operating
18 plan to the House and Senate Committees on Appropria-
19 tions.

20 GENERAL PROVISIONS

21 SEC. 201. Funds appropriated in this title shall be
22 available for not to exceed \$37,000 for official reception
23 and representation expenses when specifically approved by
24 the Secretary.

1 SEC. 202. The Secretary shall make available through
2 assignment not more than 60 employees of the Public
3 Health Service to assist in child survival activities and to
4 work in AIDS programs through and with funds provided
5 by the Agency for International Development, the United
6 Nations International Children's Emergency Fund or the
7 World Health Organization.

8 SEC. 203. None of the funds appropriated under this
9 Act may be used to implement section 399L(b) of the Pub-
10 lic Health Service Act or section 1503 of the National In-
11 stitutes of Health Revitalization Act of 1993, Public Law
12 103-43.

13 SEC. 204. None of the funds appropriated in this Act
14 may be expended pursuant to section 241 of the Public
15 Health Service Act, except for funds specifically provided
16 for in this Act, or for other taps and assessments made
17 by any office located in the Department of Health and
18 Human Services, prior to the Secretary's preparation and
19 submission of a report to the Committee on Appropria-
20 tions of the Senate and of the House detailing the planned
21 uses of such funds.

22 (TRANSFER OF FUNDS)

23 SEC. 205. Not to exceed 1 percent of any discre-
24 tionary funds (pursuant to the Balanced Budget and
25 Emergency Deficit Control Act, as amended) which are
26 appropriated for the current fiscal year for the Depart-

1 ment of Health and Human Services in this Act may be
2 transferred between appropriations, but no such appro-
3 priation shall be increased by more than 3 percent by any
4 such transfer: *Provided*, That the Appropriations Commit-
5 tees of both Houses of Congress are notified at least fif-
6 teen days in advance of any transfer.

7 SEC. 206. The Director of the National Institutes of
8 Health, jointly with the Director of the Office of AIDS
9 Research, may transfer up to 3 percent among institutes,
10 centers, and divisions from the total amounts identified
11 by these two Directors as funding for research pertaining
12 to the human immunodeficiency virus: *Provided*, That the
13 Congress is promptly notified of the transfer.

14 SEC. 207. Of the amounts made available in this Act
15 for the National Institutes of Health, the amount for re-
16 search related to the human immunodeficiency virus, as
17 jointly determined by the Director of NIH and the Direc-
18 tor of the Office of AIDS Research, shall be made avail-
19 able to the “Office of AIDS Research” account. The Di-
20 rector of the Office of AIDS Research shall transfer from
21 such account amounts necessary to carry out section
22 2353(d)(3) of the Public Health Service Act.

23 SEC. 208. None of the funds appropriated in this Act
24 may be made available to any entity under title X of the
25 Public Health Service Act unless the applicant for the

1 award certifies to the Secretary that it encourages family
2 participation in the decision of minors to seek family plan-
3 ning services and that it provides counseling to minors on
4 how to resist attempts to coerce minors into engaging in
5 sexual activities.

6 SEC. 209. The final rule entitled “Organ Procure-
7 ment and Transplantation Network”, promulgated by the
8 Secretary of Health and Human Services on April 2, 1998
9 (63 FR 16295 et seq.) (relating to part 121 of title 42,
10 Code of Federal Regulations), shall not become effective
11 before October 1, 2000.

12 SEC. 210. None of the funds appropriated by this Act
13 (including funds appropriated to any trust fund) may be
14 used to carry out the Medicare+Choice program if the
15 Secretary denies participation in such program to an oth-
16 erwise eligible entity (including a Provider Sponsored Or-
17 ganization) because the entity informs the Secretary that
18 it will not provide, pay for, provide coverage of, or provide
19 referrals for abortions: *Provided*, That the Secretary shall
20 make appropriate prospective adjustments to the capita-
21 tion payment to such an entity (based on an actuarially
22 sound estimate of the expected costs of providing the serv-
23 ice to such entity’s enrollees): *Provided further*, That noth-
24 ing in this section shall be construed to change the Medi-
25 care program’s coverage for such services and a

1 Medicare+Choice organization described in this section
2 shall be responsible for informing enrollees where to obtain
3 information about all Medicare covered services.

4 SEC. 211. (a) MENTAL HEALTH.—Section 1918(b)
5 of the Public Health Service Act (42 U.S.C. 300x-7(b))
6 is amended to read as follows:

7 “(b) MINIMUM ALLOTMENTS FOR STATES.—With re-
8 spect to fiscal year 2000, the amount of the allotment of
9 a State under section 1911 shall not be less than the
10 amount the State received under section 1911 for fiscal
11 year 1998.”.

12 (b) SUBSTANCE ABUSE.—Section 1933(b) of the
13 Public Health Service Act (42 U.S.C. 300x-33(b)) is
14 amended to read as follows:

15 “(b) MINIMUM ALLOTMENTS FOR STATES.—Each
16 State’s allotment for fiscal year 2000 for programs under
17 this subpart shall be equal to such State’s allotment for
18 such programs for fiscal year 1999.”.

19 SEC. 212. Notwithstanding any other provision of
20 law, no provider of services under title X of the Public
21 Health Service Act shall be exempt from any State law
22 requiring notification or the reporting of child abuse, child
23 molestation, sexual abuse, rape, or incest.

24 This title may be cited as the “Department of Health
25 and Human Services Appropriations Act, 2000”.

1 TITLE III—DEPARTMENT OF EDUCATION
2 EDUCATION REFORM

3 For carrying out activities authorized by sections
4 3122, 3132, and 3136, and part I of title X of the Elemen-
5 tary and Secondary Education Act of 1965,
6 \$800,100,000, of which \$10,000,000 shall be for section
7 3122: *Provided*, That up to one-half of 1 percent of the
8 amount available under section 3132 shall be set aside for
9 the outlying areas, to be distributed on the basis of their
10 relative need as determined by the Secretary in accordance
11 with the purposes of the program: *Provided further*, That
12 if any State educational agency does not apply for a grant
13 under section 3132, that State's allotment under section
14 3131 shall be reserved by the Secretary for grants to local
15 educational agencies in that State that apply directly to
16 the Secretary according to the terms and conditions pub-
17 lished by the Secretary in the Federal Register.

18 EDUCATION FOR THE DISADVANTAGED

19 For carrying out title I of the Elementary and Sec-
20 ondary Education Act of 1965, and section 418A of the
21 Higher Education Act, \$8,417,897,000, of which
22 \$1,524,134,000 shall become available on July 1, 2000,
23 and shall remain available through September 30, 2001,
24 and of which \$6,204,763,000 shall become available on
25 October 1, 2000, and shall remain available through Sep-
26 tember 30, 2001, for academic year 2000–2001: *Provided*,

1 That \$6,574,000,000 shall be available for basic grants
2 under section 1124: *Provided further*, That up to
3 \$3,500,000 of these funds shall be available to the Sec-
4 retary on October 1, 1999 to obtain updated local-edu-
5 cational-agency-level census poverty data from the Bureau
6 of the Census: *Provided further*, That \$1,158,397,000
7 shall be available for concentration grants under section
8 1124A, \$7,500,000 shall be available for evaluations
9 under section 1501 and not more than \$8,500,000 shall
10 be reserved for section 1308, of which not more than
11 \$3,000,000 shall be reserved for section 1308(d): *Provided*
12 *further*, That \$120,000,000 shall be available under sec-
13 tion 1002(g)(2) to demonstrate effective approaches to
14 comprehensive school reform to be allocated and expended
15 in accordance with the instructions relating to this activity
16 in the statement of the managers on the conference report
17 accompanying Public Law 105–78 and in the statement
18 of the managers on the conference report accompanying
19 Public Law 105–277: *Provided further*, That in carrying
20 out this initiative, the Secretary and the States shall sup-
21 port only approaches that show the most promise of ena-
22 bling children served by title I to meet challenging State
23 content standards and challenging State student perform-
24 ance standards based on reliable research and effective

1 practices, and include an emphasis on basic academics and
2 parental involvement.

3 IMPACT AID

4 For carrying out programs of financial assistance to
5 federally affected schools authorized by title VIII of the
6 Elementary and Secondary Education Act of 1965,
7 \$907,200,000, of which \$737,200,000 shall be for basic
8 support payments under section 8003(b), \$50,000,000
9 shall be for payments for children with disabilities under
10 section 8003(d), \$76,000,000, to remain available until
11 expended, shall be for payments under section 8003(f),
12 \$7,000,000 shall be for construction under section 8007,
13 \$32,000,000 shall be for Federal property payments under
14 section 8002 and \$5,000,000 to remain available until ex-
15 pended shall be for facilities maintenance under section
16 8008.

17 SCHOOL IMPROVEMENT PROGRAMS

18 For carrying out school improvement activities au-
19 thorized by titles IV, V-A and B, VI, IX, X, and XIII
20 of the Elementary and Secondary Education Act of 1965;
21 the Stewart B. McKinney Homeless Assistance Act; the
22 Civil Rights Act of 1964 and part B of title VIII of the
23 Higher Education Act; \$3,115,188,000, of which
24 \$1,018,300,000 shall become available on July 1, 2000,
25 and remain available through September 30, 2001, and
26 of which \$1,638,000,000 shall become available on Octo-

ber 1, 2000, and shall remain available through September 30, 2001, for academic year 2000–2001: *Provided*, That of the amount appropriated, \$385,000,000 shall be for title VI: *Provided further*, That of the amount appropriated, \$1,800,000,000 shall be for the Teacher Empowerment Act, if such legislation is enacted.

READING EXCELLENCE

For necessary expenses to carry out the Reading Excellence Act, \$200,000,000, which shall become available on July 1, 2000, and shall remain available through September 30, 2001.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title IX, part A of the Elementary and Secondary Education Act of 1965, as amended, \$66,000,000.

BILINGUAL AND IMMIGRANT EDUCATION

For carrying out, to the extent not otherwise provided, bilingual, foreign language and immigrant education activities authorized by parts A and C and section 7203 of title VII of the Elementary and Secondary Education Act of 1965, without regard to section 7103(b), \$380,000,000: *Provided*, That State educational agencies may use all, or any part of, their part C allocation for competitive grants to local educational agencies.

1 SPECIAL EDUCATION

2 For carrying out the Individuals with Disabilities
3 Education Act, \$5,833,146,000, of which \$1,981,885,000
4 shall become available for obligation on July 1, 2000, and
5 shall remain available through September 30, 2001, and
6 of which \$3,608,000,000 shall become available on Octo-
7 ber 1, 2000, and shall remain available through September
8 30, 2001, for academic year 2000–2001.

9 REHABILITATION SERVICES AND DISABILITY RESEARCH

10 For carrying out, to the extent not otherwise pro-
11 vided, the Rehabilitation Act of 1973, the Assistive Tech-
12 nology Act of 1998, and the Helen Keller National Center
13 Act, \$2,687,150,000.

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.), \$9,000,000.

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.), \$48,151,000, of which
23 \$2,651,000 shall be for construction and remain available
24 until expended: *Provided*, That from the total amount
25 available, the Institute may at its discretion use funds for
26 the endowment program as authorized 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.), \$85,980,000, of which \$2,500,000 shall be for
7 construction and shall remain available until expended:
8 *Provided*, That from the total amount available, the Uni-
9 versity may at its discretion use funds for the endowment
10 program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

11
12 For carrying out, to the extent not otherwise pro-
13 vided, the Carl D. Perkins Vocational and Technical Edu-
14 cation Act and the Adult Education and Family Literacy
15 Act, \$1,582,247,000, of which \$533,147,000 shall become
16 available on July 1, 2000, and shall remain available
17 through September 30, 2001, and of which
18 \$1,045,000,000 shall become available on October 1,
19 2000, and shall remain available through September 30,
20 2001, for academic year 2000–2001: *Provided*, That of the
21 amounts made available for the Perkins Act, \$4,100,000
22 shall be for tribally controlled vocational institutions under
23 section 117: *Provided further*, That, of the amounts made
24 available for the Adult Education and Family Literacy
25 Act, \$7,000,000 shall be for national leadership activities

1 under section 243 and \$6,000,000 shall be for the Na-
2 tional Institute for Literacy under section 242.

3 STUDENT FINANCIAL ASSISTANCE

4 For carrying out subparts 1 and 3 of part A, part
5 C and part E of title IV of the Higher Education Act of
6 1965, as amended, \$9,249,000,000, which shall remain
7 available through September 30, 2001, and of which
8 \$2,286,000,000 shall become available on October 1,
9 2000, and shall remain available through September 30,
10 2001.

11 The maximum Pell Grant for which a student shall
12 be eligible during award year 2000–2001 shall be \$3,275:
13 *Provided*, That notwithstanding section 401(g) of the Act,
14 if the Secretary determines, prior to publication of the
15 payment schedule for such award year, that the amount
16 included within this appropriation for Pell Grant awards
17 in such award year, and any funds available from the fis-
18 cal year 1999 appropriation for Pell Grant awards, are
19 insufficient to satisfy fully all such awards for which stu-
20 dents are eligible, as calculated under section 401(b) of
21 the Act, the amount paid for each such award shall be
22 reduced by either a fixed or variable percentage, or by a
23 fixed dollar amount, as determined in accordance with a
24 schedule of reductions established by the Secretary for this
25 purpose.

1 For an additional amount for “STUDENT FINANCIAL
2 ASSISTANCE” for payment of allocations to institutions of
3 higher education for Federal Supplemental Educational
4 Opportunity Grants for award years 1999–2000 and
5 2000–2001, made under title IV, part A, subpart 3, of
6 the Higher Education Act of 1965, as amended,
7 \$10,000,000: *Provided*, That notwithstanding any other
8 provision of law, the Secretary of Education may waive
9 or modify any statutory or regulatory provision applicable
10 to the Federal Supplemental Educational Opportunity
11 Grant program and the determination of need for such
12 grants, that the Secretary deems necessary to assist indi-
13 viduals who suffered financial harm resulting from the
14 hurricanes, and the flooding associated with the hurri-
15 canes, that struck the eastern United States in August
16 and September 1999, and who, at the time of the disaster
17 were residing, attending an institution of higher edu-
18 cation, or employed within an area affected by such a dis-
19 aster on the date which the President declared the exist-
20 ence of a major disaster (or, in the case of an individual
21 who is a dependent student, whose parent or stepparent
22 suffered financial harm from such disaster, and who re-
23 sided, or was employed in such an area at that time): *Pro-*
24 *vided further*, That notwithstanding section 437 of the
25 General Education Provisions Act (20 U.S.C. 1232) and

1 section 553 of title 5, United States Code, the Secretary
2 shall, by notice in the Federal Register, exercise this au-
3 thority, through publication of waivers or modifications of
4 statutory and regulatory provisions, as the Secretary
5 deems necessary to assist such individuals: *Provided fur-*
6 *ther*, That notwithstanding section 413D of the Higher
7 Education Act of 1965, allocations from such additional
8 amount shall not be taken into account in determining in-
9 stitutional allocations under such section in future years:
10 *Provided further*, That the entire amount made available
11 under this paragraph is designated by Congress as an
12 emergency requirement pursuant to section 251(b)(2)(A)
13 of the Balanced Budget and Emergency Deficit Control
14 Act of 1985, and that the entire amount shall be available
15 only to the extent an official budget request for the entire
16 amount, that includes designation of the entire amount as
17 an emergency requirement pursuant to the Balanced
18 Budget and Emergency Deficit Control Act of 1985, is
19 transmitted by the President to the Congress.

20 FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

21 For Federal administrative expenses to carry out
22 guaranteed student loans authorized by title IV, part B,
23 of the Higher Education Act, as amended, \$46,482,000.

24 HIGHER EDUCATION

25 For carrying out, to the extent not otherwise pro-
26 vided, section 121 and titles II, III, IV, V, VI, and VII

1 of the Higher Education Act of 1965, as amended, and
2 the Mutual Educational and Cultural Exchange Act of
3 1961; \$1,151,786,000, of which \$12,000,000 for interest
4 subsidies authorized by section 121 of the Higher Edu-
5 cation Act, shall remain available until expended: *Pro-*
6 *vided*, That funds available for part A, subpart 2 of title
7 VII of the Higher Education Act shall be available to fund
8 awards for academic year 2000–2001 for fellowships
9 under part A, subpart 1 of title VII of said Act, under
10 the terms and conditions of part A, subpart 1: *Provided*
11 *further*, That \$4,000,000 is for data collection and evalua-
12 tion activities for programs under the Higher Education
13 Act, including such activities needed to comply with the
14 Government Performance and Results Act of 1993.

15 HOWARD UNIVERSITY

16 For partial support of Howard University (20 U.S.C.
17 121 et seq.), \$219,444,000, of which not less than
18 \$3,530,000 shall be for a matching endowment grant pur-
19 suant to the Howard University Endowment Act (Public
20 Law 98–480) and shall remain available until expended.

21 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS

22 PROGRAM

23 For Federal administrative expenses authorized
24 under section 121 of the Higher Education Act, \$698,000
25 to carry out activities related to existing facility loans en-
26 tered into under the Higher Education Act.

1 HISTORICALLY BLACK COLLEGE AND UNIVERSITY
2 CAPITAL FINANCING, PROGRAM ACCOUNT

3 The total amount of bonds insured pursuant to sec-
4 tion 344 of title III, part D of the Higher Education Act
5 shall not exceed \$357,000,000, and the cost, as defined
6 in section 502 of the Congressional Budget Act of 1974,
7 of such bonds shall not exceed zero.

8 For administrative expenses to carry out the Histori-
9 cally Black College and University Capital Financing Pro-
10 gram entered into pursuant to title III, part D of the
11 Higher Education Act, as amended, \$96,000.

12 EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

13 For carrying out activities authorized by the Edu-
14 cational Research, Development, Dissemination, and Im-
15 provement Act of 1994, including part E; the National
16 Education Statistics Act of 1994, including sections 411
17 and 412; section 2102 of title II, and parts A, B, and
18 K and section 10601 of title X, and part C of title XIII
19 of the Elementary and Secondary Education Act of 1965,
20 as amended, and title VI of Public Law 103–227,
21 \$390,867,000: *Provided*, That \$25,000,000 shall be avail-
22 able to demonstrate effective approaches to comprehensive
23 school reform to be allocated and expended in accordance
24 with the instructions relating to this activity in the state-
25 ment of managers on the conference report accompanying
26 Public Law 105–78 and in the statement of the managers

1 on the conference report accompanying Public Law 105–
2 277: *Provided further*, That the funds made available for
3 comprehensive school reform shall become available on
4 July 1, 2000, and remain available through September 30,
5 2001, and in carrying out this initiative, the Secretary and
6 the States shall support only approaches that show the
7 most promise of enabling children to meet challenging
8 State content standards and challenging State student
9 performance standards based on reliable research and ef-
10 fective practices, and include an emphasis on basic aca-
11 demics and parental involvement: *Provided further*, That
12 \$10,000,000 of the funds provided for the national edu-
13 cation research institutes shall be allocated notwith-
14 standing section 931(c)(2)(B) of Public Law 103–227.

15 DEPARTMENTAL MANAGEMENT

16 PROGRAM ADMINISTRATION

17 For carrying out, to the extent not otherwise pro-
18 vided, the Department of Education Organization Act, in-
19 cluding rental of conference rooms in the District of Co-
20 lumbia and hire of two passenger motor vehicles,
21 \$362,000,000.

22 OFFICE FOR CIVIL RIGHTS

23 For expenses necessary for the Office for Civil
24 Rights, as authorized by section 203 of the Department
25 of Education Organization Act, \$66,000,000.

1 OFFICE OF INSPECTOR GENERAL

2 For expenses necessary for the Office of Inspector
3 General, as authorized by section 212 of the Department
4 of Education Organization Act, \$31,242,000.

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 (TRANSFER OF FUNDS)

7 SEC. 304. Not to exceed 1 percent of any discre-
8 tionary funds (pursuant to the Balanced Budget and
9 Emergency Deficit Control Act, as amended) which are
10 appropriated for the Department of Education in this Act
11 may be transferred between appropriations, but no such
12 appropriation shall be increased by more than 3 percent
13 by any such transfer: *Provided*, That the Appropriations
14 Committees of both Houses of Congress are notified at
15 least fifteen days in advance of any transfer.

16 SEC. 305. (a) From the funds appropriated for pay-
17 ments to local educational agencies under section 8003(f)
18 of the Elementary and Secondary Education Act of 1965
19 (ESEA) for fiscal year 2000, the Secretary of Education
20 shall distribute supplemental payments for certain local
21 educational agencies, as follows:

22 (1) First, from the amount of \$74,000,000, the
23 Secretary shall make supplemental payments to the
24 following agencies under section 8003(b) of the
25 ESEA:

1 (A) Local educational agencies that re-
2 ceived assistance under section 8003(f) for fis-
3 cal year 1999; and

4 (i) in fiscal year 1997 had at least 40
5 percent federally connected children de-
6 scribed in section 8003(a)(1) in average
7 daily attendance; and in fiscal year 1997
8 had an adopted operations tax rate which
9 was at least 95 percent of the state aver-
10 age operations tax rate; or

11 (ii) whose boundary is coterminous
12 with the boundary of a federal military in-
13 stallation.

14 (B) Local educational agencies that re-
15 ceived assistance under section 8003(f) for fis-
16 cal year 1999; and in fiscal year 1997 had at
17 least 30 percent federally connected children de-
18 scribed in section 8003(a)(1) in average daily
19 attendance; and in fiscal year 1997 had an
20 adopted operations tax rate which was at least
21 125 percent of the State average operations tax
22 rate.

23 (C) Any eligible local educational agency
24 that in fiscal year 1997, which had at least
25 25,000 children in average daily attendance, at

1 least 50 percent federally connected children de-
2 scribed in section 8003(a)(1) in average daily
3 attendance, and at least 6,000 children de-
4 scribed in sections 8003(a)(1) (A) and (B) in
5 average daily attendance.

6 (2) From the remaining \$2,000,000 and any
7 amounts available after making payments under
8 paragraph (1), the Secretary shall then make sup-
9 plemental payments to local educational agencies
10 that are not described in paragraph (1) of this sub-
11 section, but that meet the requirements of para-
12 graphs (2) and (4) of section 8003(f) of the ESEA
13 for fiscal year 2000.

14 (b) In calculating the amounts of supplemental pay-
15 ments for agencies described in subparagraphs (1) (A) and
16 (B) and paragraph (2) of subsection (a), the Secretary
17 shall use the formula contained in section 8003(b)(1)(C)
18 of the ESEA, except that—

19 (1) eligible local educational agencies may count
20 all children described in section 8003(a)(1) in com-
21 puting the amount of those payments;

22 (2) maximum payments for any of those agen-
23 cies that use local contribution rates identified in
24 section 8003(b)(1)(C) (i) or (ii) shall be computed

1 by using four-fifths instead of one-half of those
2 rates;

3 (3) the learning opportunity threshold percent-
4 age of all such agencies under section 8003(b)(2)(B)
5 shall be deemed to be 100;

6 (4) for an eligible local educational agency with
7 35 percent or more of its children in average daily
8 attendance described in either subparagraph (D) or
9 (E) of section 8003(a)(1) in fiscal year 1997, the
10 weighted student unit figure from its regular basic
11 support payment shall be recomputed by using a fac-
12 tor of 0.55 for such children;

13 (5) for an eligible local educational agency with
14 fewer than 100 children in average daily attendance
15 in fiscal year 1997, the weighted student unit figure
16 from its regular basic support payment shall be re-
17 computed by multiplying the total number of chil-
18 dren described in section 8003(a)(1) by a factor of
19 1.75; and

20 (6) for an eligible local educational agency
21 whose total number of children in average daily at-
22 tendance in fiscal year 1997 was at least 100, but
23 fewer than 750, the weighted student unit figure
24 from its regular basic support payment shall be re-
25 computed by multiplying the total number of chil-

1 dren described in section 8003(a)(1) by a factor of
2 1.25.

3 (c) For a local educational agency described in sub-
4 section (a)(1)(C) above, the Secretary shall use the for-
5 mula contained in section 8003(b)(1)(C) of the ESEA, ex-
6 cept that the weighted student unit total from its regular
7 basic support payment shall be recomputed by using a fac-
8 tor of 1.35 for children described in 8003(a)(1) (A) and
9 (B) and its learning opportunity threshold percentage
10 shall be deemed to be 100.

11 (d) For each eligible local educational agency, the cal-
12 culated supplemental basic support payment shall be re-
13 duced by subtracting the agency's regular fiscal year 2000
14 section 8003(b) basic support payment.

15 (e) The actual supplemental basic support payment
16 that local educational agencies receive shall be treated
17 under section 8009 in the same manner as payments
18 under section 8003(f).

19 (f) If the sums described in subsections (a)(1) and
20 (2) above are insufficient to pay in full the calculated sup-
21 plemental basic support payments for the local educational
22 agencies identified in those subsections, the Secretary
23 shall ratably reduce the supplemental basic support pay-
24 ment to each local educational agency.

1 (g) After making payments to all eligible local edu-
2 cational agencies described in paragraph (1) of subsection
3 (a), the Secretary shall use any remaining funds from
4 paragraph (1) for making payments to the eligible local
5 educational agencies described in paragraph (2) of that
6 subsection.

7 (h) After making payments to all eligible local edu-
8 cational agencies described in paragraph (2) of subsection
9 (a), the Secretary shall use any remaining funds from
10 paragraph (2) for making payments to the eligible local
11 educational agencies described in paragraph (1) of sub-
12 section (a) if the amount available under paragraph (1)
13 is insufficient to fully fund all eligible local educational
14 agencies.

15 (i) After making payments to all eligible local edu-
16 cational agencies as described in subsections (g) and (h),
17 the Secretary shall use any remaining funds to increase
18 basic support payments under section 8003(b) for fiscal
19 year 2000 for all eligible students.

20 SEC. 306. (a) Section 1204(b)(1)(A) of the Elemen-
21 tary and Secondary Education Act of 1965 (20 U.S.C.
22 6364(b)(1)(a)) is amended—

23 (1) in clause (iv), by striking “and” after the
24 semicolon;

1 (2) by striking clause (v) and adding the fol-
2 lowing:

3 “(v) 50 percent in the fifth, sixth, seventh, and
4 eighth such years; and

5 “(vi) 35 percent in any subsequent such year.”.

6 (b) Section 1208(b) of the Elementary and Secondary
7 Education Act of 1965 is amended—

8 (1) by striking paragraph (3) and inserting the
9 following:

10 “(3) CONTINUING ELIGIBILITY.—In awarding
11 subgrant funds to continue a program under this
12 part after the first year, the State educational agen-
13 cy shall review the progress of each eligible entity in
14 meeting the goals of the program referred to in sec-
15 tion 1207(c)(1)(A) and shall evaluate the program
16 based on the indicators of program quality developed
17 by the State under section 1210.”; and

18 (2) in paragraph (5)(A), by striking the last
19 sentence.

20 SEC. 307. Title III of the Departments of Labor,
21 Health and Human Services, Education, and Related
22 Agencies Appropriations Act, 1999 (as contained in divi-
23 sion A, section 101(f) of the Omnibus Consolidated and
24 Emergency Supplemental Appropriations Act, 1999 (Pub-
25 lic Law 105–277)), is amended under the heading “EDU-

1 CATION RESEARCH, STATISTICS, AND IMPROVEMENT” by
2 striking “at the former LaSalle Academy”.

3 SEC. 308. The Higher Education Act of 1965 (20
4 U.S.C. 1001 et seq.) is amended in Section 458 (a)(1)
5 by striking “\$735,000,000” and inserting
6 “\$617,000,000”.

7 This title may be cited as the “Department of Edu-
8 cation Appropriations Act, 2000”.

9 TITLE IV—RELATED AGENCIES

10 ARMED FORCES RETIREMENT HOME

11 For expenses necessary for the Armed Forces Retire-
12 ment Home to operate and maintain the United States
13 Soldiers’ and Airmen’s Home and the United States Naval
14 Home, to be paid from funds available in the Armed
15 Forces Retirement Home Trust Fund, \$68,295,000, of
16 which \$12,696,000 shall remain available until expended
17 for construction and renovation of the physical plants at
18 the United States Soldiers’ and Airmen’s Home and the
19 United States Naval Home: *Provided*, That, notwith-
20 standing any other provision of law, a single contract or
21 related contracts for development and construction, to in-
22 clude construction of a long-term care facility at the
23 United States Naval Home, may be employed which collec-
24 tively include the full scope of the project: *Provided fur-*
25 *ther*, That the solicitation and contract shall contain the

1 clause “availability of funds” found at 48 CFR 52.232–
2 18 and 252.232–7007, Limitation of Government Obliga-
3 tions.

4 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
5 DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING
6 EXPENSES

7 For expenses necessary for the Corporation for Na-
8 tional and Community Service to carry out the provisions
9 of the Domestic Volunteer Service Act of 1973, as amend-
10 ed, \$274,959,000.

11 CORPORATION FOR PUBLIC BROADCASTING

12 For payment to the Corporation for Public Broad-
13 casting, as authorized by the Communications Act of
14 1934, an amount which shall be available within limita-
15 tions specified by that Act, for the fiscal year 2002,
16 \$340,000,000: *Provided*, That no funds made available to
17 the Corporation for Public Broadcasting by this Act shall
18 be used to pay for receptions, parties, or similar forms
19 of entertainment for Government officials or employees:
20 *Provided further*, That none of the funds contained in this
21 paragraph shall be available or used to aid or support any
22 program or activity from which any person is excluded,
23 or is denied benefits, or is discriminated against, on the
24 basis of race, color, national origin, religion, or sex: *Pro-*
25 *vided further*, That in addition to the amounts provided

1 above, \$10,000,000 shall be for digitalization, only if spe-
2 cifically authorized by subsequent legislation enacted by
3 September 30, 2000.

4 FEDERAL MEDIATION AND CONCILIATION SERVICE

5 SALARIES AND EXPENSES

6 For expenses necessary for the Federal Mediation
7 and Conciliation Service to carry out the functions vested
8 in it by the Labor Management Relations Act, 1947 (29
9 U.S.C. 171–180, 182–183), including hire of passenger
10 motor vehicles; for expenses necessary for the Labor-Man-
11 agement Cooperation Act of 1978 (29 U.S.C. 175a); and
12 for expenses necessary for the Service to carry out the
13 functions vested in it by the Civil Service Reform Act,
14 Public Law 95–454 (5 U.S.C. ch. 71), \$34,620,000, in-
15 cluding \$1,500,000, to remain available through Sep-
16 tember 30, 2001, for activities authorized by the Labor-
17 Management Cooperation Act of 1978 (29 U.S.C. 175a):
18 *Provided*, That notwithstanding 31 U.S.C. 3302, fees
19 charged, up to full-cost recovery, for special training ac-
20 tivities and for arbitration services shall be credited to and
21 merged with this account, and shall remain available until
22 expended: *Provided further*, That fees for arbitration serv-
23 ices shall be available only for education, training, and
24 professional development of the agency workforce: *Pro-*
25 *vided further*, That the Director of the Service is author-

1 ized to accept and use on behalf of the United States gifts
2 of services and real, personal, or other property in the aid
3 of any projects or functions within the Director's jurisdic-
4 tion.

5 FEDERAL MINE SAFETY AND HEALTH REVIEW

6 COMMISSION

7 SALARIES AND EXPENSES

8 For expenses necessary for the Federal Mine Safety
9 and Health Review Commission (30 U.S.C. 801 et seq.),
10 \$6,060,000.

11 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

12 For carrying out subtitle B of the Museum and Li-
13 brary Services Act, \$149,500,000.

14 MEDICARE PAYMENT ADVISORY COMMISSION

15 SALARIES AND EXPENSES

16 For expenses necessary to carry out section 1805 of
17 the Social Security Act, \$7,015,000, to be transferred to
18 this appropriation from the Federal Hospital Insurance
19 and the Federal Supplementary Medical Insurance Trust
20 Funds.

21 NATIONAL COMMISSION ON LIBRARIES AND

22 INFORMATION SCIENCE

23 SALARIES AND EXPENSES

24 For necessary expenses for the National Commission
25 on Libraries and Information Science, established by the

1 Act of July 20, 1970 (Public Law 91–345, as amended
2 by Public Law 102–95), \$1,000,000.

3 NATIONAL COUNCIL ON DISABILITY

4 SALARIES AND EXPENSES

5 For expenses necessary for the National Council on
6 Disability as authorized by title IV of the Rehabilitation
7 Act of 1973, as amended, \$2,344,000.

8 NATIONAL EDUCATION GOALS PANEL

9 For expenses necessary for the National Education
10 Goals Panel, as authorized by title II, part A of the Goals
11 2000: Educate America Act, \$2,100,000.

12 NATIONAL LABOR RELATIONS BOARD

13 SALARIES AND EXPENSES

14 For expenses necessary for the National Labor Rela-
15 tions Board to carry out the functions vested in it by the
16 Labor-Management Relations Act, 1947, as amended (29
17 U.S.C. 141–167), and other laws, \$174,661,000: *Pro-*
18 *vided*, That no part of this appropriation shall be available
19 to organize or assist in organizing agricultural laborers or
20 used in connection with investigations, hearings, direc-
21 tives, or orders concerning bargaining units composed of
22 agricultural laborers as referred to in section 2(3) of the
23 Act of July 5, 1935 (29 U.S.C. 152), and as amended
24 by the Labor-Management Relations Act, 1947, as amend-
25 ed, and as defined in section 3(f) of the Act of June 25,

1 1938 (29 U.S.C. 203), and including in said definition em-
2 ployees engaged in the maintenance and operation of
3 ditches, canals, reservoirs, and waterways when main-
4 tained or operated on a mutual, nonprofit basis and at
5 least 95 percent of the water stored or supplied thereby
6 is used for farming purposes: *Provided further*, That none
7 of the funds made available by this Act shall be used in
8 any way to promulgate a final rule (altering 29 CFR part
9 103) regarding single location bargaining units in rep-
10 resentation cases.

11 NATIONAL MEDIATION BOARD

12 SALARIES AND EXPENSES

13 For expenses necessary to carry out the provisions
14 of the Railway Labor Act, as amended (45 U.S.C. 151–
15 188), including emergency boards appointed by the Presi-
16 dent, \$8,400,000: *Provided*, That unobligated balances at
17 the end of fiscal year 2000 not needed for emergency
18 boards shall remain available for other statutory purposes
19 through September 30, 2001.

20 OCCUPATIONAL SAFETY AND HEALTH REVIEW

21 COMMISSION

22 SALARIES AND EXPENSES

23 For expenses necessary for the Occupational Safety
24 and Health Review Commission (29 U.S.C. 661),
25 \$8,100,000.

1 RAILROAD RETIREMENT BOARD

2 DUAL BENEFITS PAYMENTS ACCOUNT

3 For payment to the Dual Benefits Payments Ac-
4 count, authorized under section 15(d) of the Railroad Re-
5 tirement Act of 1974, \$175,000,000, which shall include
6 amounts becoming available in fiscal year 2000 pursuant
7 to section 224(e)(1)(B) of Public Law 98-76; and in addi-
8 tion, an amount, not to exceed 2 percent of the amount
9 provided herein, shall be available proportional to the
10 amount by which the product of recipients and the average
11 benefit received exceeds \$175,000,000: *Provided*, That the
12 total amount provided herein shall be credited in 12 ap-
13 proximately equal amounts on the first day of each month
14 in the fiscal year.

15 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

16 ACCOUNTS

17 For payment to the accounts established in the
18 Treasury for the payment of benefits under the Railroad
19 Retirement Act for interest earned on unnegotiated
20 checks, \$150,000, to remain available through September
21 30, 2001, which shall be the maximum amount available
22 for payment pursuant to section 417 of Public Law 98-
23 76.

24 LIMITATION ON ADMINISTRATION

25 For necessary expenses for the Railroad Retirement
26 Board for administration of the Railroad Retirement Act

1 and the Railroad Unemployment Insurance Act,
2 \$90,000,000, to be derived in such amounts as determined
3 by the Board from the railroad retirement accounts and
4 from moneys credited to the railroad unemployment insur-
5 ance administration fund.

6 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

7 For expenses necessary for the Office of Inspector
8 General for audit, investigatory and review activities, as
9 authorized by the Inspector General Act of 1978, as
10 amended, not more than \$5,400,000, to be derived from
11 the railroad retirement accounts and railroad unemploy-
12 ment insurance account: *Provided*, That none of the funds
13 made available in any other paragraph of this Act may
14 be transferred to the Office; used to carry out any such
15 transfer; used to provide any office space, equipment, of-
16 fice supplies, communications facilities or services, mainte-
17 nance services, or administrative services for the Office;
18 used to pay any salary, benefit, or award for any personnel
19 of the Office; used to pay any other operating expense of
20 the Office; or used to reimburse the Office for any service
21 provided, or expense incurred, by the Office.

22 SOCIAL SECURITY ADMINISTRATION

23 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

24 For payment to the Federal Old-Age and Survivors
25 Insurance and the Federal Disability Insurance trust

1 funds, as provided under sections 201(m), 228(g), and
2 1131(b)(2) of the Social Security Act, \$20,764,000.

3 SPECIAL BENEFITS FOR DISABLED COAL MINERS

4 For carrying out title IV of the Federal Mine Safety
5 and Health Act of 1977, \$383,638,000, to remain avail-
6 able until expended.

7 For making, after July 31 of the current fiscal year,
8 benefit payments to individuals under title IV of the Fed-
9 eral Mine Safety and Health Act of 1977, for costs in-
10 curred in the current fiscal year, such amounts as may
11 be necessary.

12 For making benefit payments under title IV of the
13 Federal Mine Safety and Health Act of 1977 for the first
14 quarter of fiscal year 2001, \$124,000,000, to remain
15 available until expended.

16 SUPPLEMENTAL SECURITY INCOME PROGRAM

17 For carrying out titles XI and XVI of the Social Se-
18 curity Act, section 401 of Public Law 92–603, section 212
19 of Public Law 93–66, as amended, and section 405 of
20 Public Law 95–216, including payment to the Social Secu-
21 rity trust funds for administrative expenses incurred pur-
22 suant to section 201(g)(1) of the Social Security Act,
23 \$21,474,000,000, to remain available until expended: *Pro-*
24 *vided*, That any portion of the funds provided to a State
25 in the current fiscal year and not obligated by the State
26 during that year shall be returned to the Treasury.

1 From funds provided under the previous paragraph,
2 not less than \$100,000,000 shall be available for payment
3 to the Social Security trust funds for administrative ex-
4 penses for conducting continuing disability reviews.

5 In addition, \$200,000,000, to remain available until
6 September 30, 2001, for payment to the Social Security
7 trust funds for administrative expenses for continuing dis-
8 ability reviews as authorized by section 103 of Public Law
9 104–121 and section 10203 of Public Law 105–33. The
10 term “continuing disability reviews” means reviews and
11 redeterminations as defined under section 201(g)(1)(A) of
12 the Social Security Act, as amended.

13 For making, after June 15 of the current fiscal year,
14 benefit payments to individuals under title XVI of the So-
15 cial Security Act, for unanticipated costs incurred for the
16 current fiscal year, such sums as may be necessary.

17 For making benefit payments under title XVI of the
18 Social Security Act for the first quarter of fiscal year
19 2001, \$9,890,000,000, to remain available until expended.

20 LIMITATION ON ADMINISTRATIVE EXPENSES

21 For necessary expenses, including the hire of two pas-
22 senger motor vehicles, and not to exceed \$10,000 for offi-
23 cial reception and representation expenses, not more than
24 \$5,996,000,000 may be expended, as authorized by sec-
25 tion 201(g)(1) of the Social Security Act, from any one
26 or all of the trust funds referred to therein: *Provided*, That

1 not less than \$1,800,000 shall be for the Social Security
2 Advisory Board: *Provided further*, That unobligated bal-
3 ances at the end of fiscal year 2000 not needed for fiscal
4 year 2000 shall remain available until expended to invest
5 in the Social Security Administration computing network,
6 including related equipment and non-payroll administra-
7 tive expenses associated solely with this network: *Provided*
8 *further*, That reimbursement to the trust funds under this
9 heading for expenditures for official time for employees
10 of the Social Security Administration pursuant to section
11 7131 of title 5, United States Code, and for facilities or
12 support services for labor organizations pursuant to poli-
13 cies, regulations, or procedures referred to in section
14 7135(b) of such title shall be made by the Secretary of
15 the Treasury, with interest, from amounts in the general
16 fund not otherwise appropriated, as soon as possible after
17 such expenditures are made.

18 From funds provided under the previous paragraph,
19 notwithstanding the provision under this heading in Public
20 Law 105–277 regarding unobligated balances at the end
21 of fiscal year 1999 not needed for such fiscal year, an
22 amount not to exceed \$50,000,000 from such unobligated
23 balances shall, in addition to funding already available
24 under this heading for fiscal year 2000, be available for
25 necessary expenses.

1 From funds provided under the first paragraph, not
2 less than \$200,000,000 shall be available for conducting
3 continuing disability reviews.

4 In addition to funding already available under this
5 heading, and subject to the same terms and conditions,
6 \$405,000,000, to remain available until September 30,
7 2001, for continuing disability reviews as authorized by
8 section 103 of Public Law 104–121 and section 10203 of
9 Public Law 105–33. The term “continuing disability re-
10 views” means reviews and redeterminations as defined
11 under section 201(g)(1)(A) of the Social Security Act as
12 amended.

13 In addition, \$80,000,000 to be derived from adminis-
14 tration fees in excess of \$5.00 per supplementary payment
15 collected pursuant to section 1616(d) of the Social Secu-
16 rity Act or section 212(b)(3) of Public Law 93–66, which
17 shall remain available until expended. To the extent that
18 the amounts collected pursuant to such section 1616(d)
19 or 212(b)(3) in fiscal year 2000 exceed \$80,000,000, the
20 amounts shall be available in fiscal year 2001 only to the
21 extent provided in advance in appropriations Acts.

22 From amounts previously made available under this
23 heading for a state-of-the-art computing network, not to
24 exceed \$100,000,000 shall be available for necessary ex-

1 penses under this heading, subject to the same terms and
2 conditions.

3 OFFICE OF INSPECTOR GENERAL
4 (INCLUDING TRANSFER OF FUNDS)

5 For expenses necessary for the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended, \$12,000,000, together
8 with not to exceed \$44,000,000, to be transferred and ex-
9 pended as authorized by section 201(g)(1) of the Social
10 Security Act from the Federal Old-Age and Survivors In-
11 surance Trust Fund and the Federal Disability Insurance
12 Trust Fund.

13 In addition, an amount not to exceed 3 percent of
14 the total provided in this appropriation may be transferred
15 from the "Limitation on Administrative Expenses", Social
16 Security Administration, to be merged with this account,
17 to be available for the time and purposes for which this
18 account is available: *Provided*, That notice of such trans-
19 fers shall be transmitted promptly to the Committees on
20 Appropriations of the House and Senate.

21 UNITED STATES INSTITUTE OF PEACE
22 OPERATING EXPENSES

23 For necessary expenses of the United States Institute
24 of Peace as authorized in the United States Institute of
25 Peace Act, \$12,160,000.

1 TITLE V—GENERAL PROVISIONS

2 SEC. 501. The Secretaries of Labor, Health and
3 Human Services, and Education are authorized to transfer
4 unexpended balances of prior appropriations to accounts
5 corresponding to current appropriations provided in this
6 Act: *Provided*, That such transferred balances are used for
7 the same purpose, and for the same periods of time, for
8 which they were originally appropriated.

9 SEC. 502. No part of any appropriation contained in
10 this Act shall remain available for obligation beyond the
11 current fiscal year unless expressly so provided herein.

12 SEC. 503. (a) No part of any appropriation contained
13 in this Act shall be used, other than for normal and recog-
14 nized executive-legislative relationships, for publicity or
15 propaganda purposes, for the preparation, distribution, or
16 use of any kit, pamphlet, booklet, publication, radio, tele-
17 vision, or video presentation designed to support or defeat
18 legislation pending before the Congress or any State legis-
19 lature, except in presentation to the Congress or any State
20 legislature itself.

21 (b) No part of any appropriation contained in this
22 Act shall be used to pay the salary or expenses of any
23 grant or contract recipient, or agent acting for such recipi-
24 ent, related to any activity designed to influence legislation

1 or appropriations pending before the Congress or any
2 State legislature.

3 SEC. 504. The Secretaries of Labor and Education
4 are each authorized to make available not to exceed
5 \$15,000 from funds available for salaries and expenses
6 under titles I and III, respectively, for official reception
7 and representation expenses; the Director of the Federal
8 Mediation and Conciliation Service is authorized to make
9 available for official reception and representation expenses
10 not to exceed \$2,500 from the funds available for “Sala-
11 ries and expenses, Federal Mediation and Conciliation
12 Service”; and the Chairman of the National Mediation
13 Board is authorized to make available for official reception
14 and representation expenses not to exceed \$2,500 from
15 funds available for “Salaries and expenses, National Medi-
16 ation Board”.

17 SEC. 505. Notwithstanding any other provision of
18 this Act, no funds appropriated under this Act shall be
19 used to carry out any program of distributing sterile nee-
20 dles or syringes for the hypodermic injection of any illegal
21 drug.

22 SEC. 506. (a) PURCHASE OF AMERICAN-MADE
23 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-
24 gress that, to the greatest extent practicable, all equip-

1 ment and products purchased with funds made available
2 in this Act should be American-made.

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

9 (c) PROHIBITION OF CONTRACTS WITH PERSONS
10 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
11 If it has been finally determined by a court or Federal
12 agency that any person intentionally affixed a label bear-
13 ing a “Made in America” inscription, or any inscription
14 with the same meaning, to any product sold in or shipped
15 to the United States that is not made in the United
16 States, the person shall be ineligible to receive any con-
17 tract or subcontract made with funds made available in
18 this Act, pursuant to the debarment, suspension, and ineli-
19 gibility procedures described in sections 9.400 through
20 9.409 of title 48, Code of Federal Regulations.

21 SEC. 507. When issuing statements, press releases,
22 requests for proposals, bid solicitations and other docu-
23 ments describing projects or programs funded in whole or
24 in part with Federal money, all grantees receiving Federal
25 funds included in this Act, including but not limited to

1 State and local governments and recipients of Federal re-
2 search grants, shall clearly state: (1) the percentage of the
3 total costs of the program or project which will be financed
4 with Federal money; (2) the dollar amount of Federal
5 funds for the project or program; and (3) percentage and
6 dollar amount of the total costs of the project or program
7 that will be financed by nongovernmental sources.

8 SEC. 508. (a) None of the funds appropriated under
9 this Act, and none of the funds in any trust fund to which
10 funds are appropriated under this Act, shall be expended
11 for any abortion.

12 (b) None of the funds appropriated under this Act,
13 and none of the funds in any trust fund to which funds
14 are appropriated under this Act, shall be expended for
15 health benefits coverage that includes coverage of abor-
16 tion.

17 (c) The term “health benefits coverage” means the
18 package of services covered by a managed care provider
19 or organization pursuant to a contract or other arrange-
20 ment.

21 SEC. 509. (a) The limitations established in the pre-
22 ceding section shall not apply to an abortion—

23 (1) if the pregnancy is the result of an act of
24 rape or incest; or

1 (2) in the case where a woman suffers from a
2 physical disorder, physical injury, or physical illness,
3 including a life-endangering physical condition
4 caused by or arising from the pregnancy itself, that
5 would, as certified by a physician, place the woman
6 in danger of death unless an abortion is performed.

7 (b) Nothing in the preceding section shall be con-
8 strued as prohibiting the expenditure by a State, locality,
9 entity, or private person of State, local, or private funds
10 (other than a State's or locality's contribution of Medicaid
11 matching funds).

12 (c) Nothing in the preceding section shall be con-
13 strued as restricting the ability of any managed care pro-
14 vider from offering abortion coverage or the ability of a
15 State or locality to contract separately with such a pro-
16 vider for such coverage with State funds (other than a
17 State's or locality's contribution of Medicaid matching
18 funds).

19 SEC. 510. (a) None of the funds made available in
20 this Act may be used for—

21 (1) the creation of a human embryo or embryos
22 for research purposes; or

23 (2) research in which a human embryo or em-
24 bryos are destroyed, discarded, or knowingly sub-
25 jected to risk of injury or death greater than that

1 allowed for research on fetuses in utero under 45
2 CFR 46.208(a)(2) and section 498(b) of the Public
3 Health Service Act (42 U.S.C. 289g(b)).

4 (b) For purposes of this section, the term “human
5 embryo or embryos” includes any organism, not protected
6 as a human subject under 45 CFR 46 as of the date of
7 the enactment of this Act, that is derived by fertilization,
8 parthenogenesis, cloning, or any other means from one or
9 more human gametes or human diploid cells.

10 SEC. 511. (a) LIMITATION ON USE OF FUNDS FOR
11 PROMOTION OF LEGALIZATION OF CONTROLLED SUB-
12 STANCES.—None of the funds made available in this Act
13 may be used for any activity that promotes the legalization
14 of any drug or other substance included in schedule I of
15 the schedules of controlled substances established by sec-
16 tion 202 of the Controlled Substances Act (21 U.S.C.
17 812).

18 (b) EXCEPTIONS.—The limitation in subsection (a)
19 shall not apply when there is significant medical evidence
20 of a therapeutic advantage to the use of such drug or other
21 substance or that federally sponsored clinical trials are
22 being conducted to determine therapeutic advantage.

23 SEC. 512. None of the funds made available in this
24 Act may be obligated or expended to enter into or renew
25 a contract with an entity if—

1 (1) such entity is otherwise a contractor with
2 the United States and is subject to the requirement
3 in section 4212(d) of title 38, United States Code,
4 regarding submission of an annual report to the Sec-
5 retary of Labor concerning employment of certain
6 veterans; and

7 (2) such entity has not submitted a report as
8 required by that section for the most recent year for
9 which such requirement was applicable to such enti-
10 ty.

11 SEC. 513. Except as otherwise specifically provided
12 by law, unobligated balances remaining available at the
13 end of fiscal year 2000 from appropriations made avail-
14 able for salaries and expenses for fiscal year 2000 in this
15 Act, shall remain available through December 31, 2000,
16 for each such account for the purposes authorized: *Pro-*
17 *vided*, That the House and Senate Committees on Appro-
18 priations shall be notified at least fifteen days prior to the
19 obligation of such funds.

20 SEC. 514. None of the funds made available in this
21 Act may be used to promulgate or adopt any final stand-
22 ard under section 1173(b) of the Social Security Act (42
23 U.S.C. 1320d-2(b)) providing for, or providing for the as-
24 signment of, a unique health identifier for an individual
25 (except in an individual's capacity as an employer or a

1 health care provider), until legislation is enacted specifi-
2 cally approving the standard.

3 TITLE VI—EARLY DETECTION, DIAGNOSIS, AND
4 INTERVENTIONS FOR NEWBORNS AND IN-
5 FANTS WITH HEARING LOSS

6 SEC. 601. (a) DEFINITIONS.—For the purposes of
7 this section only, the following terms in this section are
8 defined as follows:

9 (1) HEARING SCREENING.—Newborn and in-
10 fant hearing screening consists of objective physio-
11 logic procedures to detect possible hearing loss and
12 to identify newborns and infants who, after re-
13 screening, require further audiologic and medical
14 evaluations.

15 (2) AUDIOLOGIC EVALUATION.—Audiologic
16 evaluation consists of procedures to assess the status
17 of the auditory system; to establish the site of the
18 auditory disorder; the type and degree of hearing
19 loss, and the potential effects of hearing loss on
20 communication; and to identify appropriate treat-
21 ment and referral options. Referral options should
22 include linkage to State IDEA part C coordinating
23 agencies or other appropriate agencies, medical eval-
24 uation, hearing aid/sensory aid assessment,
25 audiologic rehabilitation treatment, national and

1 local consumer, self-help, parent, and education or-
2 ganizations, and other family-centered services.

3 (3) MEDICAL EVALUATION.—Medical evaluation
4 by a physician consists of key components including
5 history, examination, and medical decision making
6 focused on symptomatic and related body systems
7 for the purpose of diagnosing the etiology of hearing
8 loss and related physical conditions, and for identi-
9 fying appropriate treatment and referral options.

10 (4) MEDICAL INTERVENTION.—Medical inter-
11 vention is the process by which a physician provides
12 medical diagnosis and direction for medical and/or
13 surgical treatment options of hearing loss and/or re-
14 lated medical disorder associated with hearing loss.

15 (5) AUDIOLOGIC REHABILITATION.—Audiologic
16 rehabilitation (intervention) consists of procedures,
17 techniques, and technologies to facilitate the recep-
18 tive and expressive communication abilities of a child
19 with hearing loss.

20 (6) EARLY INTERVENTION.—Early intervention
21 (e.g., nonmedical) means providing appropriate serv-
22 ices for the child with hearing loss and ensuring that
23 families of the child are provided comprehensive,
24 consumer-oriented information about the full range
25 of family support, training, information services,

1 communication options and are given the oppor-
2 tunity to consider the full range of educational and
3 program placements and options for their child.

4 (b) PURPOSES.—The purposes of this section are to
5 clarify the authority within the Public Health Service Act
6 to authorize statewide newborn and infant hearing screen-
7 ing, evaluation and intervention programs and systems,
8 technical assistance, a national applied research program,
9 and interagency and private sector collaboration for policy
10 development, in order to assist the States in making
11 progress toward the following goals:

12 (1) All babies born in hospitals in the United
13 States and its territories should have a hearing
14 screening before leaving the birthing facility. Babies
15 born in other countries and residing in the United
16 States via immigration or adoption should have a
17 hearing screening as early as possible.

18 (2) All babies who are not born in hospitals in
19 the United States and its territories should have a
20 hearing screening within the first 3 months of life.

21 (3) Appropriate audiologic and medical evalua-
22 tions should be conducted by 3 months for all
23 newborns and infants suspected of having hearing
24 loss to allow appropriate referral and provisions for

1 audiologic rehabilitation, medical and early interven-
2 tion before the age of 6 months.

3 (4) All newborn and infant hearing screening
4 programs and systems should include a component
5 for audiologic rehabilitation, medical and early inter-
6 vention options that ensures linkage to any new and
7 existing statewide systems of intervention and reha-
8 bilitative services for newborns and infants with
9 hearing loss.

10 (5) Public policy in regard to newborn and in-
11 fant hearing screening and intervention should be
12 based on applied research and the recognition that
13 newborns, infants, toddlers, and children who are
14 deaf or hard-of-hearing have unique language, learn-
15 ing, and communication needs, and should be the re-
16 sult of consultation with pertinent public and private
17 sectors.

18 (c) STATEWIDE NEWBORN AND INFANT HEARING
19 SCREENING, EVALUATION AND INTERVENTION PRO-
20 GRAMS AND SYSTEMS.—Under the existing authority of
21 the Public Health Service Act, the Secretary of Health
22 and Human Services (in this section referred to as the
23 “Secretary”), acting through the Administrator of the
24 Health Resources and Services Administration, shall make
25 awards of grants or cooperative agreements to develop

1 statewide newborn and infant hearing screening, evalua-
2 tion and intervention programs and systems for the fol-
3 lowing purposes:

4 (1) To develop and monitor the efficacy of
5 statewide newborn and infant hearing screening,
6 evaluation and intervention programs and systems.
7 Early intervention includes referral to schools and
8 agencies, including community, consumer, and par-
9 ent-based agencies and organizations and other pro-
10 grams mandated by part C of the Individuals with
11 Disabilities Education Act, which offer programs
12 specifically designed to meet the unique language
13 and communication needs of deaf and hard of hear-
14 ing newborns, infants, toddlers, and children.

15 (2) To collect data on statewide newborn and
16 infant hearing screening, evaluation and intervention
17 programs and systems that can be used for applied
18 research, program evaluation and policy develop-
19 ment.

20 (d) TECHNICAL ASSISTANCE, DATA MANAGEMENT,
21 AND APPLIED RESEARCH.—

22 (1) CENTERS FOR DISEASE CONTROL AND PRE-
23 VENTION.—Under the existing authority of the Pub-
24 lic Health Service Act, the Secretary, acting through
25 the Director of the Centers for Disease Control and

1 Prevention, shall make awards of grants or coopera-
2 tive agreements to provide technical assistance to
3 State agencies to complement an intramural pro-
4 gram and to conduct applied research related to
5 newborn and infant hearing screening, evaluation
6 and intervention programs and systems. The pro-
7 gram shall develop standardized procedures for data
8 management and program effectiveness and costs,
9 such as—

10 (A) to ensure quality monitoring of new-
11 born and infant hearing loss screening, evalua-
12 tion, and intervention programs and systems;

13 (B) to provide technical assistance on data
14 collection and management;

15 (C) to study the costs and effectiveness of
16 newborn and infant hearing screening, evalua-
17 tion and intervention programs and systems
18 conducted by State-based programs in order to
19 answer issues of importance to State and na-
20 tional policymakers;

21 (D) to identify the causes and risk factors
22 for congenital hearing loss;

23 (E) to study the effectiveness of newborn
24 and infant hearing screening, audiologic and
25 medical evaluations and intervention programs

1 and systems by assessing the health, intellectual
2 and social developmental, cognitive, and lan-
3 guage status of these children at school age;
4 and

5 (F) to promote the sharing of data regard-
6 ing early hearing loss with state-based birth de-
7 fects and developmental disabilities monitoring
8 programs for the purpose of identifying pre-
9 viously unknown causes of hearing loss.

10 (2) NATIONAL INSTITUTES OF HEALTH.—

11 Under the existing authority of the Public Health
12 Service Act, the Director of the National Institutes
13 of Health, acting through the Director of the Na-
14 tional Institute on Deafness and Other Communica-
15 tion Disorders, shall for purposes of this section,
16 continue a program of research and development on
17 the efficacy of new screening techniques and tech-
18 nology, including clinical studies of screening meth-
19 ods, studies on efficacy of intervention, and related
20 research.

21 (e) COORDINATION AND COLLABORATION.—

22 (1) IN GENERAL.—Under the existing authority
23 of the Public Health Service Act, in carrying out
24 programs under this section, the Administrator of
25 the Health Resources and Services Administration,

1 the Director of the Centers for Disease Control and
2 Prevention, and the Director of the National Insti-
3 tutes of Health shall collaborate and consult with
4 other Federal agencies; State and local agencies, in-
5 cluding those responsible for early intervention serv-
6 ices pursuant to title XIX of the Social Security Act
7 (Medicaid Early and Periodic Screening, Diagnosis
8 and Treatment Program); title XXI of the Social Se-
9 curity Act (State Children’s Health Insurance Pro-
10 gram); title V of the Social Security Act (Maternal
11 and Child Health Block Grant Program); and part
12 C of the Individuals with Disabilities Education Act;
13 consumer groups of and that serve individuals who
14 are deaf and hard-of-hearing and their families; ap-
15 appropriate national medical and other health and edu-
16 cation specialty organizations; persons who are deaf
17 and hard-of-hearing and their families; other quali-
18 fied professional personnel who are proficient in deaf
19 or hard-of-hearing children’s language and who pos-
20 sess the specialized knowledge, skills, and attributes
21 needed to serve deaf and hard-of-hearing newborns,
22 infants, toddlers, children, and their families; third-
23 party payers and managed care organizations; and
24 related commercial industries.

1 (2) POLICY DEVELOPMENT.—Under the exist-
2 ing authority of the Public Health Service Act, the
3 Administrator of the Health Resources and Services
4 Administration, the Director of the Centers for Dis-
5 ease Control and Prevention, and the Director of the
6 National Institutes of Health shall coordinate and
7 collaborate on recommendations for policy develop-
8 ment at the Federal and State levels and with the
9 private sector, including consumer, medical and
10 other health and education professional-based orga-
11 nizations, with respect to newborn and infant hear-
12 ing screening, evaluation and intervention programs
13 and systems.

14 (3) STATE EARLY DETECTION, DIAGNOSIS, AND
15 INTERVENTION PROGRAMS AND SYSTEMS; DATA COL-
16 LECTION.—Under the existing authority of the Pub-
17 lic Health Service Act, the Administrator of the
18 Health Resources and Services Administration and
19 the Director of the Centers for Disease Control and
20 Prevention shall coordinate and collaborate in assist-
21 ing States to establish newborn and infant hearing
22 screening, evaluation and intervention programs and
23 systems under subsection (c) and to develop a data
24 collection system under subsection (d).

1 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to preempt any State law.

3 (g) AUTHORIZATION OF APPROPRIATIONS.—

4 (1) STATEWIDE NEWBORN AND INFANT HEAR-
5 ING SCREENING, EVALUATION AND INTERVENTION
6 PROGRAMS AND SYSTEMS.—For the purpose of car-
7 rying out subsection (c) under the existing authority
8 of the Public Health Service Act, there are author-
9 ized to the Health Resources and Services Adminis-
10 tration appropriations in the amount of \$5,000,000
11 for fiscal year 2000, \$8,000,000 for fiscal year
12 2001, and such sums as may be necessary for fiscal
13 year 2002.

14 (2) TECHNICAL ASSISTANCE, DATA MANAGE-
15 MENT, AND APPLIED RESEARCH; CENTERS FOR DIS-
16 EASE CONTROL AND PREVENTION.—For the purpose
17 of carrying out subsection (d)(1) under the existing
18 authority of the Public Health Service Act, there are
19 authorized to the Centers for Disease Control and
20 Prevention, appropriations in the amount of
21 \$5,000,000 for fiscal year 2000, \$7,000,000 for fis-
22 cal year 2001, and such sums as may be necessary
23 for fiscal year 2002.

24 (3) TECHNICAL ASSISTANCE, DATA MANAGE-
25 MENT, AND APPLIED RESEARCH; NATIONAL INSTI-

1 TUTE ON DEAFNESS AND OTHER COMMUNICATION
2 DISORDERS.—For the purpose of carrying out sub-
3 section (d)(2) under the existing authority of the
4 Public Health Service Act, there are authorized to
5 the National Institute on Deafness and Other Com-
6 munication Disorders appropriations for such sums
7 as may be necessary for each of the fiscal years
8 2000 through 2002.

9 TITLE VII—CHILD PROTECTION ACT OF 1999

10 SEC. 701. This title may be cited as the “Child Pro-
11 tection Act of 1999”.

12 SEC. 702. (a) COMPUTER SOFTWARE INSTALLATION
13 REQUIRED.—Any elementary or secondary school or pub-
14 lic library that has received under any program or activity
15 of any Federal agency any funds for the acquisition or
16 operation of any computer that is accessible to minors and
17 that has access to the Internet shall—

18 (1) install software on that computer that is de-
19 termined (in accordance with subsection (b)) to be
20 adequately designed to prevent minors from obtain-
21 ing access to any obscene information or child por-
22 nography using that computer; and

23 (2) ensure that such software is operational
24 whenever that computer is used by minors, except
25 that such software’s operation may be temporarily

1 interrupted to permit a minor to have access to in-
2 formation that is not obscene, is not child pornog-
3 raphy, or is otherwise unprotected by the Constitu-
4 tion under the direct supervision of an adult des-
5 ignated by such school or library.

6 (b) DETERMINATION OF ADEQUATE DESIGN.—For
7 any elementary or secondary school or public library with-
8 in the jurisdiction of any State, the determinations re-
9 quired for purposes of subsection (a)(1) shall be made by
10 an agency or official designated by the chief executive offi-
11 cer of such State. For any elementary or secondary school
12 or public library that is not within the jurisdiction of any
13 State, the determinations required for purposes of sub-
14 section (a)(1) shall be made by the Secretary of Edu-
15 cation.

16 (c) CONSEQUENCES OF VIOLATIONS.—

17 (1) USE OF GENERAL EDUCATION PROVISIONS
18 ACT REMEDIES.—Whenever the head of any Federal
19 agency has reason to believe that any recipient of
20 funds under any program or activity is failing to
21 comply substantially with the requirements of sub-
22 section (a), the head of such agency may—

23 (A) withhold further payments under that
24 program or activity,

1 (B) issue a complaint to compel compliance
2 through a cease and desist order, or

3 (C) enter into a compliance agreement
4 with a recipient to bring it into compliance,
5 in same manner as the Secretary of Education is au-
6 thorized to take such actions under sections 455,
7 456, and 457, respectively, of the General Education
8 Provisions Act (20 U.S.C. 1234d).

9 (2) RECOVERY OF FUNDS PROHIBITED.—The
10 actions authorized by paragraph (1) are the exclu-
11 sive remedies available with respect to a violation of
12 subsection (a), and the head of any Federal agency
13 shall not seek a recovery of funds from the recipient.

14 (d) DEFINITIONS.—For purposes of this section:

15 (1) ELEMENTARY OR SECONDARY SCHOOL.—
16 The term “elementary or secondary school” means
17 an elementary school or a secondary school as such
18 terms are defined in section 14101 of the Elemen-
19 tary and Secondary Education Act of 1965 (20
20 U.S.C. 8801).

21 (2) PUBLIC LIBRARY.—The term “public li-
22 brary” has the meaning given the term “library” by
23 section 213 of the Library Services and Technology
24 Act (20 U.S.C. 9122).

1 (3) COMPUTER.—The term “computer” in-
2 cludes any hardware, software, or other technology
3 attached or connected to, installed in, or otherwise
4 used in connection with a computer.

5 (4) ACCESS TO INTERNET.—A computer shall
6 be considered to have access to the Internet if such
7 computer is equipped with a modem or is connected
8 to a computer network which has access to the
9 Internet.

10 (5) ACQUISITION OR OPERATION.—An elemen-
11 tary or secondary school or public library shall be
12 considered to have received under a program or ac-
13 tivity of any Federal agency any funds for the acqui-
14 sition or operation of any computer if such funds are
15 used in any manner, directly or indirectly—

16 (A) to purchase, lease, or otherwise acquire
17 or obtain the use of such computer, or

18 (B) to obtain services, supplies, software,
19 or other actions or materials to support, or in
20 connection with, the operation of such com-
21 puter.

22 (6) FEDERAL AGENCY.—The term “Federal
23 agency” has the meaning given the term “agency”
24 by section 551(1) of title 5, United States Code.

1 (7) STATE.—The term “State” means each of
2 the 50 States, the District of Columbia, the Com-
3 monwealth of Puerto Rico, the Virgin Islands,
4 Guam, American Samoa, the Commonwealth of the
5 Northern Mariana Islands, the Republic of the Mar-
6 shall Islands, the Federated States of Micronesia,
7 and the Republic of Palau.

8 (8) CHILD PORNOGRAPHY.—The term “child
9 pornography” has the meaning provided in section
10 2256(8) of title 18, United States Code.

11 TITLE VIII—INFLATION ADJUSTMENTS TO
12 MANDATORY JURISDICTION THRESHOLDS
13 OF NATIONAL LABOR RELATIONS BOARD

14 SEC. 801. Section 14(c)(1) of the National Labor Re-
15 lations Act (29 U.S.C. 164(c)(1)) is amended to read as
16 follows:

17 “(c)(1)(A) MANDATORY JURISDICTION.—The Board
18 shall assert jurisdiction over any labor dispute involving
19 any class or category of employers over which it would
20 assert jurisdiction under the standards prevailing on Au-
21 gust 1, 1959, with the financial threshold amounts ad-
22 justed for inflation under subparagraph (B).

23 “(B) INFLATION ADJUSTMENTS.—The Board, begin-
24 ning on October 1, 1999, and not less often than every
25 5 years thereafter, shall adjust each of the financial

1 threshold amounts referred to in subparagraph (A) for in-
 2 flation, using as the base period the later of (i) the most
 3 recent calendar quarter ending before the financial thresh-
 4 old amount was established, or (ii) the calendar quarter
 5 ending June 30, 1959. The inflation adjustments shall be
 6 determined using changes in the Consumer Price Index
 7 for all urban consumers published by the Department of
 8 Labor and shall be rounded to the nearest \$10,000. The
 9 Board shall prescribe any regulations necessary for mak-
 10 ing the inflation adjustments.”.

11 TITLE IX—MISCELLANEOUS PROVISIONS

12 **SEC. 901. INSTALLMENT PAYMENTS OF EARNED INCOME**

13 **CREDIT REFUNDS; TERMINATION OF AD-**
 14 **VANCE PAYMENTS OF EARNED INCOME**
 15 **CREDIT.**

16 (a) **INSTALLMENT PAYMENTS OF EARNED INCOME**
 17 **CREDIT REFUNDS.—**

18 (1) **IN GENERAL.—**Section 6402 of the Internal
 19 Revenue Code of 1986 (relating to authority to
 20 make credits or refunds) is amended by adding at
 21 the end the following new subsection:

22 “(1) **INSTALLMENT PAYMENTS OF EARNED INCOME**
 23 **CREDIT REFUNDS.—**

1 “(1) IN GENERAL.—Earned income credit re-
2 funds shall be paid in 12 substantially equal install-
3 ments with—

4 “(A) the first installment payable without
5 regard to this subsection,

6 “(B) the second installment payable not
7 later than the 90th day after the first install-
8 ment is paid, and

9 “(C) the remaining installments payable at
10 monthly intervals over the 10 months following
11 the month in which the second installment is
12 paid.

13 “(2) EARNED INCOME CREDIT REFUNDS.—For
14 purposes of this subsection, the term ‘earned income
15 credit refund’ means, with respect to any taxable
16 year, the lesser of—

17 “(A) the credit allowed by section 32 for
18 such year (determined without regard to section
19 32(n)), or

20 “(B) the overpayment for such year deter-
21 mined after the reductions under subsections
22 (c), (d), and (e) and without regard to the cred-
23 it under section 31.

24 “(3) EXCEPTION IF EARNED INCOME CREDIT
25 REFUND IS \$600 OR LESS.—Paragraph (1) shall not

1 apply to any earned income credit refund which does
2 not exceed \$600 for the taxable year.

3 “(4) INTEREST.—Notwithstanding any other
4 provision of this title, interest shall not be allowed
5 or paid on—

6 “(A) any earned income credit refund pay-
7 able in installments under this subsection, or

8 “(B) any such installment under this sub-
9 section which is paid within 45 days after the
10 due date for the payment of such installment.”

11 (2) CONFORMING AMENDMENT.—Subsection (a)
12 of section 6402 of such Code is amended by striking
13 “(c) and (d)” and inserting “(c), (d), and (l)”.

14 (b) TERMINATION OF ADVANCE PAYMENTS OF
15 EARNED INCOME CREDIT.—Section 3507 of such Code is
16 amended by adding at the end the following new sub-
17 section:

18 “(g) TERMINATION.—

19 “(1) IN GENERAL.—This section shall not apply
20 after September 30, 1999.

21 “(2) EXCEPTION FOR CERTIFICATES IN EF-
22 FECT.—Paragraph (1) shall not apply to earned in-
23 come eligibility certificates in effect on September
24 30, 1999, and to renewals of such certificates which
25 are so in effect.”

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to taxable years beginning after
3 December 31, 1998.

4 SEC. 902. The General Accounting Office is directed
5 to conduct a study of the impact on EITC recipients with
6 respect to a disbursement over 12 months versus the cur-
7 rent one-time, lump-sum, payment.

8 **SEC. 903. CLARIFICATION OF REQUIREMENT FOR ORIGINA-**
9 **TION FEES.**

10 Section 455(c) of the Higher Education Act of 1965
11 (20 U.S.C. 1087e(c)) is amended—

12 (1) by striking “The Secretary shall” and in-
13 serting “Notwithstanding subsection (a)(1), the Sec-
14 retary shall”; and

15 (2) by adding at the end the following: “For
16 purposes of subsection (a)(1), this subsection is one
17 of many provisions of this part that specifies a term,
18 condition, or benefit of a loan under this part that
19 is different than the terms, conditions, and benefits
20 of loans made to borrowers under sections 428,
21 428B, and 428H of this title.”.

22 SEC. 904. MUTUAL MORTGAGE INSURANCE FUND
23 PREMIUMS.—Section 203(c)(2)(A) of the National Hous-
24 ing Act (12 U.S.C. 1709(c)) is amended by adding at the
25 end the following new sentence: “Notwithstanding any

1 other provision of this section or section 205, in the case
2 of a mortgage executed after the date of the enactment
3 of this sentence, the entire premium charge collected pur-
4 suant to this subparagraph shall be considered to be
5 earned by the Secretary at the time of insurance, and no
6 portion of the premium charge collected may be refunded
7 to the mortgagor as unearned.”.

8 TITLE X—DISASTER RELIEF FOR FARMERS

9 AGRICULTURAL PROGRAMS

10 COMMODITY CREDIT CORPORATION

11 DISASTER ASSISTANCE

12 From funds of the Commodity Credit Corporation,
13 \$508,000,000 shall be available to the Secretary of Agri-
14 culture to provide assistance to producers for crop and
15 livestock losses incurred as a result of the hurricanes, and
16 the flooding associated with the hurricanes, that struck
17 the eastern United States in August and September 1999:
18 *Provided*, That, of the entire amount made available,
19 \$494,000,000 shall be available for crop loss assistance
20 to such producers, which shall be provided in the same
21 manner as the Secretary provided assistance under section
22 1102(b) of the Agriculture, Rural Development, Food and
23 Drug Administration, and Related Agencies Appropria-
24 tions Act, 1999 (7 U.S.C. 1421 note; Public Law 105–
25 277): *Provided further*, That, of the entire amount made

1 available, \$14,000,000 shall be available to provide assist-
2 ance, in a manner determined appropriate by the Sec-
3 retary, to such producers for livestock losses: *Provided fur-*
4 *ther*, That the entire amount made available under this
5 paragraph is designated by Congress as an emergency re-
6 quirement pursuant to section 251(b)(2)(A) of the Bal-
7 anced Budget and Emergency Deficit Control Act of 1985,
8 and that the entire amount shall be available only to the
9 extent an official budget request for the entire amount,
10 that includes designation of the entire amount as an emer-
11 gency requirement pursuant to the Balanced Budget and
12 Emergency Deficit Control Act of 1985, is transmitted by
13 the President to the Congress.

14 This Act may be cited as the “Departments of Labor,
15 Health and Human Services, and Education, and Related
16 Agencies Appropriations Act, 2000”.

Union Calendar No. 211

106TH CONGRESS
1ST SESSION

H. R. 3037

[Report No. 106-370]

A BILL

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

OCTOBER 7, 1999

Reported from the Committee on Appropriations, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed