

Calendar No. **605**

106TH CONGRESS
2^D SESSION

H. R. 4577

IN THE SENATE OF THE UNITED STATES

JUNE 15, 2000

Received; read twice and placed on the calendar

AN ACT

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, 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,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 Departments of Labor, Health and Human Services, and
4 Education, and related agencies for the fiscal year ending
5 September 30, 2001, and for other purposes, namely:

6 TITLE I—DEPARTMENT OF LABOR

7 EMPLOYMENT AND TRAINING ADMINISTRATION

8 TRAINING AND EMPLOYMENT SERVICES

9 For necessary expenses of the Workforce Investment
10 Act, including the purchase and hire of passenger motor
11 vehicles, the construction, alteration, and repair of build-
12 ings and other facilities, and the purchase of real property
13 for training centers as authorized by the Workforce In-
14 vestment Act; the Women in Apprenticeship and Non-
15 traditional Occupations Act; and the National Skill Stand-
16 ards Act of 1994, \$2,552,495,000 plus reimbursements,
17 of which \$1,340,155,000 is available for obligation for the
18 period July 1, 2001 through June 30, 2002; of which
19 \$1,175,965,000 is available for obligation for the period
20 April 1, 2001 through June 30, 2002, including
21 \$1,000,965,000 to carry out chapter 4 of the Workforce
22 Investment Act and \$175,000,000 to carry out section
23 169 of such Act; and of which \$20,375,000 is available
24 for the period July 1, 2001 through June 30, 2004 for
25 necessary expenses of construction, rehabilitation, and ac-

1 or to carry out older worker activities as subsequently au-
2 thorized, \$343,356,000.

3 To carry out the activities for grants to States under
4 paragraph (3) of section 506(a) of title V of the Older
5 Americans Act of 1965, as amended, or to carry out older
6 worker activities as subsequently authorized, \$96,844,000.

7 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

8 For payments during the current fiscal year of trade
9 adjustment benefit payments and allowances under part
10 I; and for training, allowances for job search and reloca-
11 tion, and related State administrative expenses under part
12 II, subchapters B and D, chapter 2, title II of the Trade
13 Act of 1974, as amended, \$406,550,000, together with
14 such amounts as may be necessary to be charged to the
15 subsequent appropriation for payments for any period sub-
16 sequent to September 15 of the current year.

17 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
18 SERVICE OPERATIONS

19 For authorized administrative expenses,
20 \$43,452,000, together with not to exceed \$3,054,338,000
21 (including not to exceed \$1,228,000 which may be used
22 for amortization payments to States which had inde-
23 pendent retirement plans in their State employment serv-
24 ice agencies prior to 1980), which may be expended from
25 the Employment Security Administration account in the
26 Unemployment Trust Fund including the cost of admin-

1 istering section 51 of the Internal Revenue Code of 1986,
2 as amended, section 7(d) of the Wagner-Peyser Act, as
3 amended, the Trade Act of 1974, as amended, the Immi-
4 gration Act of 1990, and the Immigration and Nationality
5 Act, as amended, and of which the sums available in the
6 allocation for activities authorized by title III of the Social
7 Security Act, as amended (42 U.S.C. 502–504), and the
8 sums available in the allocation for necessary administra-
9 tive expenses for carrying out 5 U.S.C. 8501–8523, shall
10 be available for obligation by the States through December
11 31, 2001, except that funds used for automation acquisi-
12 tions shall be available for obligation by the States
13 through September 30, 2003; and of which \$43,452,000,
14 together with not to exceed \$738,283,000 of the amount
15 which may be expended from said trust fund, shall be
16 available for obligation for the period July 1, 2001
17 through June 30, 2002, to fund activities under the Act
18 of June 6, 1933, as amended, including the cost of penalty
19 mail authorized under 39 U.S.C. 3202(a)(1)(E) made
20 available to States in lieu of allotments for such purpose:
21 *Provided*, That to the extent that the Average Weekly In-
22 sured Unemployment (AWIU) for fiscal year 2001 is pro-
23 jected by the Department of Labor to exceed 2,396,000,
24 an additional \$28,600,000 shall be available for obligation
25 for every 100,000 increase in the AWIU level (including

1 and allowances” account, to remain available until Sep-
2 tember 30, 2002, \$435,000,000.

3 In addition, for making repayable advances to the
4 Black Lung Disability Trust Fund in the current fiscal
5 year after September 15, 2001, 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, \$100,944,000, including \$6,431,000 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 1 year, to administer welfare-to-work grants, to-
14 gether with not to exceed \$45,056,000, 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, \$98,934,000.

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, 2001, for such Corporation: *Pro-*
7 *vided*, That not to exceed \$11,148,000 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, \$337,030,000, together with
21 \$1,740,000 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 heading “Civilian War Ben-
3 efits” in the Federal Security Agency Appropriation Act,
4 1947; the Employees’ Compensation Commission Appro-
5 priation Act, 1944; 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, \$56,000,000 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, 2000, 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, 2001:
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, \$30,510,000 shall be made available to the
7 Secretary as follows: (1) for the operation of and enhance-
8 ment to the automated data processing systems, including
9 document imaging, medical bill review, and periodic roll
10 management, in support of Federal Employees' Com-
11 pensation Act administration, \$19,971,000; (2) for con-
12 version to a paperless office, \$7,005,000; (3) for commu-
13 nications redesign, \$750,000; (4) for information tech-
14 nology maintenance and support, \$2,784,000; and (5) the
15 remaining funds shall be paid into the Treasury as mis-
16 cellaneous receipts: *Provided further*, That the Secretary
17 may require that any person filing a notice of injury or
18 a claim for benefits under chapter 81 of title 5, United
19 States Code, or 33 U.S.C. 901 et seq., provide as part
20 of such notice and claim, such identifying information (in-
21 cluding Social Security account number) as such regula-
22 tions may prescribe.

23 BLACK LUNG DISABILITY TRUST FUND

24 (INCLUDING TRANSFER OF FUNDS)

25 For payments from the Black Lung Disability Trust
26 Fund, \$1,028,000,000, of which \$975,343,000 shall be

1 available until September 30, 2002, for payment of all
2 benefits as authorized by section 9501(d)(1), (2), (4), and
3 (7) of the Internal Revenue Code of 1954, as amended,
4 and interest on advances as authorized by section
5 9501(c)(2) of that Act, and of which \$30,393,000 shall
6 be available for transfer to Employment Standards Ad-
7 ministration, Salaries and Expenses, \$21,590,000 for
8 transfer to Departmental Management, Salaries and Ex-
9 penses, \$318,000 for transfer to Departmental Manage-
10 ment, Office of Inspector General, and \$356,000 for pay-
11 ment into miscellaneous receipts for the expenses of the
12 Department of Treasury, for expenses of operation and
13 administration of the Black Lung Benefits program as au-
14 thorized by section 9501(d)(5) of that Act: *Provided*,
15 That, in addition, such amounts as may be necessary may
16 be charged to the subsequent year appropriation for the
17 payment of compensation, interest, or other benefits for
18 any period subsequent to August 15 of the current year.

19 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
20 SALARIES AND EXPENSES

21 For necessary expenses for the Occupational Safety
22 and Health Administration, \$381,620,000, including not
23 to exceed \$83,771,000 which shall be the maximum
24 amount available for grants to States under section 23(g)
25 of the Occupational Safety and Health Act, which grants

1 shall be no less than 50 percent of the costs of State occu-
2 pational safety and health programs required to be in-
3 curred under plans approved by the Secretary under sec-
4 tion 18 of the Occupational Safety and Health Act of
5 1970; and, in addition, notwithstanding 31 U.S.C. 3302,
6 the Occupational Safety and Health Administration may
7 retain up to \$750,000 per fiscal year of training institute
8 course tuition fees, otherwise authorized by law to be col-
9 lected, and may utilize such sums for occupational safety
10 and health training and education grants: *Provided*, That,
11 notwithstanding 31 U.S.C. 3302, the Secretary of Labor
12 is authorized, during the fiscal year ending September 30,
13 2001, to collect and retain fees for services provided to
14 Nationally Recognized Testing Laboratories, and may uti-
15 lize such sums, in accordance with the provisions of 29
16 U.S.C. 9a, to administer national and international lab-
17 oratory recognition programs that ensure the safety of
18 equipment and products used by workers in the workplace:
19 *Provided further*, That none of the funds appropriated
20 under this paragraph shall be obligated or expended to
21 prescribe, issue, administer, or enforce any standard, rule,
22 regulation, or order under the Occupational Safety and
23 Health Act of 1970 which is applicable to any person who
24 is engaged in a farming operation which does not maintain
25 a temporary labor camp and employs 10 or fewer employ-

1 es: *Provided further*, That no funds appropriated under
2 this paragraph shall be obligated or expended to admin-
3 ister or enforce any standard, rule, regulation, or order
4 under the Occupational Safety and Health Act of 1970
5 with respect to any employer of 10 or fewer employees
6 who is included within a category having an occupational
7 injury lost workday case rate, at the most precise Stand-
8 ard Industrial Classification Code for which such data are
9 published, less than the national average rate as such
10 rates are most recently published by the Secretary, acting
11 through the Bureau of Labor Statistics, in accordance
12 with section 24 of that Act (29 U.S.C. 673), except—

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

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

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

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

1 (5) to take any action authorized by such Act
2 with respect to a report of an employment accident
3 which is fatal to one or more employees or which re-
4 sults in hospitalization of two or more employees,
5 and to take any action pursuant to such investiga-
6 tion authorized by such Act; and

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

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

14 MINE SAFETY AND HEALTH ADMINISTRATION

15 SALARIES AND EXPENSES

16 For necessary expenses for the Mine Safety and
17 Health Administration, \$233,000,000, including purchase
18 and bestowal of certificates and trophies in connection
19 with mine rescue and first-aid work, and the hire of pas-
20 senger motor vehicles; and, in addition, not to exceed
21 \$750,000 may be collected by the National Mine Health
22 and Safety Academy for room, board, tuition, and the sale
23 of training materials, otherwise authorized by law to be
24 collected, to be available for mine safety and health edu-
25 cation and training activities, notwithstanding 31 U.S.C.

1 3302; the Secretary is authorized to accept lands, build-
2 ings, equipment, and other contributions from public and
3 private sources and to prosecute projects in cooperation
4 with other agencies, Federal, State, or private; the Mine
5 Safety and Health Administration is authorized to pro-
6 mote health and safety education and training in the min-
7 ing community through cooperative programs with States,
8 industry, and safety associations; and any funds available
9 to the department may be used, with the approval of the
10 Secretary, to provide for the costs of mine rescue and sur-
11 vival operations in the event of a major disaster.

12 BUREAU OF LABOR STATISTICS

13 SALARIES AND EXPENSES

14 For necessary expenses for the Bureau of Labor Sta-
15 tistics, including advances or reimbursements to State,
16 Federal, and local agencies and their employees for serv-
17 ices rendered, \$372,743,000, together with not to exceed
18 \$67,257,000, which may be expended from the Employ-
19 ment Security Administration account in the Unemploy-
20 ment Trust Fund.

21 DEPARTMENTAL MANAGEMENT

22 SALARIES AND EXPENSES

23 For necessary expenses for Departmental Manage-
24 ment, including the hire of three sedans, and including
25 up to \$7,241,000 for the President's Committee on Em-

1 ployment of People With Disabilities, and including the
2 management or operation of Departmental bilateral and
3 multilateral foreign technical assistance, \$244,579,000;
4 together with not to exceed \$310,000, which may be ex-
5 pended from the Employment Security Administration ac-
6 count in the Unemployment Trust Fund: *Provided*, That
7 no funds made available by this Act may be used by the
8 Solicitor of Labor to participate in a review in any United
9 States court of appeals of any decision made by the Bene-
10 fits Review Board under section 21 of the Longshore and
11 Harbor Workers' Compensation Act (33 U.S.C. 921)
12 where such participation is precluded by the decision of
13 the United States Supreme Court in *Director, Office of*
14 *Workers' Compensation Programs v. Newport News Ship-*
15 *building*, 115 S. Ct. 1278 (1995), notwithstanding any
16 provisions to the contrary contained in rule 15 of the Fed-
17 eral Rules of Appellate Procedure: *Provided further*, That
18 no funds made available by this Act may be used by the
19 Secretary of Labor to review a decision under the
20 Longshore and Harbor Workers' Compensation Act (33
21 U.S.C. 901 et seq.) that has been appealed and that has
22 been pending before the Benefits Review Board for more
23 than 12 months: *Provided further*, That any such decision
24 pending a review by the Benefits Review Board for more
25 than 1 year shall be considered affirmed by the Benefits

1 Review Board on the 1-year anniversary of the filing of
2 the appeal, and shall be considered the final order of the
3 Board for purposes of obtaining a review in the United
4 States courts of appeals: *Provided further*, That these pro-
5 visions shall not be applicable to the review or appeal of
6 any decision issued under the Black Lung Benefits Act
7 (30 U.S.C. 901 et seq.).

8 ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT
9 AND TRAINING

10 Not to exceed \$184,341,000 may be derived from the
11 Employment Security Administration account in the Un-
12 employment Trust Fund to carry out the provisions of 38
13 U.S.C. 4100–4110A, 4212, 4214, and 4321–4327, and
14 Public Law 103–353, and which shall be available for obli-
15 gation by the States through December 31, 2001. To
16 carry out the Stewart B. McKinney Homeless Assistance
17 Act and section 168 of the Workforce Investment Act of
18 1998, \$16,936,000, of which \$7,300,000 shall be available
19 for obligation for the period July 1, 2001, through June
20 30, 2002.

21 OFFICE OF INSPECTOR GENERAL

22 For salaries and expenses of the Office of Inspector
23 General in carrying out the provisions of the Inspector
24 General Act of 1978, as amended, \$48,095,000, together
25 with not to exceed \$3,830,000, 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 of 1985, as amended)
13 which are appropriated for the current fiscal year for the
14 Department of Labor in this Act may be transferred be-
15 tween appropriations, but no such appropriation shall be
16 increased by more than 3 percent by any such transfer:
17 *Provided*, That the Appropriations Committees of both
18 Houses of Congress are notified at least 15 days in ad-
19 vance of any transfer.

20 SEC. 103. None of the funds made available in this
21 Act may be used by the Occupational Safety and Health
22 Administration to promulgate, issue, implement, admin-
23 ister, or enforce any proposed, temporary, or final stand-
24 ard on ergonomic protection.

25 This title may be cited as the “Department of Labor
26 Appropriations Act, 2001”.

1 TITLE II—DEPARTMENT OF HEALTH AND
2 HUMAN SERVICES
3 HEALTH RESOURCES AND SERVICES ADMINISTRATION
4 HEALTH RESOURCES AND SERVICES

5 For carrying out titles II, III, VII, VIII, X, XII, XIX,
6 and XXVI of the Public Health Service Act, section
7 427(a) of the Federal Coal Mine Health and Safety Act,
8 title V and section 1820 of the Social Security Act, the
9 Health Care Quality Improvement Act of 1986, as amend-
10 ed, and the Native Hawaiian Health Care Act of 1988,
11 as amended, \$4,684,232,000, of which \$25,000,000 from
12 general revenues, notwithstanding section 1820(j) of the
13 Social Security Act, shall be available for carrying out the
14 Medicare rural hospital flexibility grants program under
15 section 1820 of such Act: *Provided*, That the Division of
16 Federal Occupational Health may utilize personal services
17 contracting to employ professional management/adminis-
18 trative and occupational health professionals: *Provided*
19 *further*, That of the funds made available under this head-
20 ing, \$250,000 shall be available until expended for facili-
21 ties renovations at the Gillis W. Long Hansen's Disease
22 Center: *Provided further*, That in addition to fees author-
23 ized by section 427(b) of the Health Care Quality Im-
24 provement Act of 1986, fees shall be collected for the full
25 disclosure of information under the Act sufficient to re-

1 cover the full costs of operating the National Practitioner
2 Data Bank, and shall remain available until expended to
3 carry out that Act: *Provided further*, That for the collec-
4 tion of fees authorized by section 1128E(d)(2) of the
5 Health Insurance Portability and Accountability Act of
6 1996 for the full disclosure of information under the Act
7 sufficient to recover the full costs of operating the
8 Healthcare Integrity and Protection Data Bank, and shall
9 remain available until expended to carry out that Act: *Pro-*
10 *vided further*, That no more than \$5,000,000 is available
11 for carrying out the provisions of Public Law 104–73: *Pro-*
12 *vided further*, That of the funds made available under this
13 heading, \$238,932,000 shall be for the program under
14 title X of the Public Health Service Act to provide for
15 voluntary family planning projects: *Provided further*, That
16 amounts provided to said projects under such title shall
17 not be expended for abortions, that all pregnancy coun-
18 seling shall be nondirective, and that such amounts shall
19 not be expended for any activity (including the publication
20 or distribution of literature) that in any way tends to pro-
21 mote public support or opposition to any legislative pro-
22 posal or candidate for public office: *Provided further*, That
23 \$554,000,000 shall be for State AIDS Drug Assistance
24 Programs authorized by section 2616 of the Public Health
25 Service Act: *Provided further*, That, notwithstanding sec-

1 tion 502(a)(1) of the Social Security Act, not to exceed
2 \$109,148,000 is available for carrying out special projects
3 of regional and national significance pursuant to section
4 501(a)(2) of such Act.

5 For special projects of regional and national signifi-
6 cance under section 501(a)(2) of the Social Security Act,
7 \$30,000,000, which shall become available on October 1,
8 2001, and shall remain available until September 30,
9 2002: *Provided*, That such amount shall not be counted
10 toward compliance with the allocation required in section
11 502(a)(1) of such Act: *Provided further*, That such
12 amount shall be used only for making competitive grants
13 to provide abstinence education (as defined in section
14 510(b)(2) of such Act) to adolescents and for evaluations
15 (including longitudinal evaluations) of activities under the
16 grants and for Federal costs of administering the grants:
17 *Provided further*, That grants shall be made only to public
18 and private entities which agree that, with respect to an
19 adolescent to whom the entities provide abstinence edu-
20 cation under such grant, the entities will not provide to
21 that adolescent any other education regarding sexual con-
22 duct, except that, in the case of an entity expressly re-
23 quired by law to provide health information or services the
24 adolescent shall not be precluded from seeking health in-
25 formation or services from the entity in a different setting

1 than the setting in which the abstinence education was
2 provided: *Provided further*, That the funds expended for
3 such evaluations may not exceed 3.5 percent of such
4 amount.

5 HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

6 Such sums as may be necessary to carry out the pur-
7 pose of the program, as authorized by title VII of the Pub-
8 lic Health Service Act, as amended. For administrative ex-
9 penses to carry out the guaranteed loan program, includ-
10 ing section 709 of the Public Health Service Act,
11 \$3,679,000.

12 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

13 For payments from the Vaccine Injury Compensation
14 Program Trust Fund, such sums as may be necessary for
15 claims associated with vaccine-related injury or death with
16 respect to vaccines administered after September 30,
17 1988, pursuant to subtitle 2 of title XXI of the Public
18 Health Service Act, to remain available until expended:
19 *Provided*, That for necessary administrative expenses, not
20 to exceed \$2,992,000 shall be available from the Trust
21 Fund to the Secretary of Health and Human Services.

22 CENTERS FOR DISEASE CONTROL AND PREVENTION

23 DISEASE CONTROL, RESEARCH, AND TRAINING

24 To carry out titles II, III, VII, XI, XV, XVII, XIX,
25 and XXVI of the Public Health Service Act, sections 101,
26 102, 103, 201, 202, 203, 301, and 501 of the Federal

1 Mine Safety and Health Act of 1977, sections 20, 21, and
2 22 of the Occupational Safety and Health Act of 1970,
3 title IV of the Immigration and Nationality Act, and sec-
4 tion 501 of the Refugee Education Assistance Act of 1980;
5 including insurance of official motor vehicles in foreign
6 countries; and hire, maintenance, and operation of air-
7 craft, \$3,290,369,000, of which \$145,000,000 shall re-
8 main available until expended for equipment and construc-
9 tion and renovation of facilities, and in addition, such
10 sums as may be derived from authorized user fees, which
11 shall be credited to this account: *Provided*, That in addi-
12 tion to amounts provided herein, up to \$71,690,000 shall
13 be available from amounts available under section 241 of
14 the Public Health Service Act, to carry out the National
15 Center for Health Statistics surveys: *Provided further*,
16 That none of the funds made available for injury preven-
17 tion and control at the Centers for Disease Control and
18 Prevention may be used to advocate or promote gun con-
19 trol: *Provided further*, That the Director may redirect the
20 total amount made available under authority of Public
21 Law 101-502, section 3, dated November 3, 1990, to ac-
22 tivities the Director may so designate: *Provided further*,
23 That the Congress is to be notified promptly of any such
24 transfer: *Provided further*, That notwithstanding any other
25 provision of law, a single contract or related contracts for

1 the development and construction of laboratory building
2 18 may be employed which collectively include the full
3 scope of the project: *Provided further*, That the solicitation
4 and contract shall contain the clause “availability of
5 funds” found at 48 CFR 52.232–18: *Provided further*,
6 That not to exceed \$10,000,000 may be available for mak-
7 ing grants under section 1509 of the Public Health Service
8 Act to not more than 10 States.

9 NATIONAL INSTITUTES OF HEALTH

10 NATIONAL CANCER INSTITUTE

11 For carrying out section 301 and title IV of the Pub-
12 lic Health Service Act with respect to cancer,
13 \$3,793,587,000.

14 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

15 For carrying out section 301 and title IV of the Pub-
16 lic Health Service Act with respect to cardiovascular, lung,
17 and blood diseases, and blood and blood products,
18 \$2,321,320,000.

19 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL

20 RESEARCH

21 For carrying out section 301 and title IV of the Pub-
22 lic Health Service Act with respect to dental disease,
23 \$309,007,000.

1 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
2 KIDNEY DISEASES

3 For carrying out section 301 and title IV of the Pub-
4 lic Health Service Act with respect to diabetes and diges-
5 tive and kidney disease, \$1,315,530,000.

6 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
7 AND STROKE

8 For carrying out section 301 and title IV of the Pub-
9 lic Health Service Act with respect to neurological dis-
10 orders and stroke, \$1,185,767,000.

11 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
12 DISEASES

13 For carrying out section 301 and title IV of the Pub-
14 lic Health Service Act with respect to allergy and infec-
15 tious diseases, \$2,062,126,000.

16 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

17 For carrying out section 301 and title IV of the Pub-
18 lic Health Service Act with respect to general medical
19 sciences, \$1,548,313,000.

20 NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN
21 DEVELOPMENT

22 For carrying out section 301 and title IV of the Pub-
23 lic Health Service Act with respect to child health and
24 human development, \$984,300,000.

1 NATIONAL EYE INSTITUTE

2 For carrying out section 301 and title IV of the Pub-
3 lic Health Service Act with respect to eye diseases and
4 visual disorders, \$514,673,000.

5 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
6 SCIENCES

7 For carrying out sections 301 and 311 and title IV
8 of the Public Health Service Act with respect to environ-
9 mental health sciences, \$506,730,000.

10 NATIONAL INSTITUTE ON AGING

11 For carrying out section 301 and title IV of the Pub-
12 lic Health Service Act with respect to aging,
13 \$790,299,000.

14 NATIONAL INSTITUTE OF ARTHRITIS AND
15 MUSCULOSKELETAL AND SKIN DISEASES

16 For carrying out section 301 and title IV of the Pub-
17 lic Health Service Act with respect to arthritis and mus-
18 culoskeletal and skin diseases, \$400,025,000.

19 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
20 COMMUNICATION DISORDERS

21 For carrying out section 301 and title IV of the Pub-
22 lic Health Service Act with respect to deafness and other
23 communication disorders, \$301,787,000.

1 NATIONAL INSTITUTE OF NURSING RESEARCH

2 For carrying out section 301 and title IV of the Pub-
3 lic Health Service Act with respect to nursing research,
4 \$102,312,000.

5 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
6 ALCOHOLISM

7 For carrying out section 301 and title IV of the Pub-
8 lic Health Service Act with respect to alcohol abuse and
9 alcoholism, \$349,216,000.

10 NATIONAL INSTITUTE ON DRUG ABUSE

11 For carrying out section 301 and title IV of the Pub-
12 lic Health Service Act with respect to drug abuse,
13 \$788,201,000.

14 NATIONAL INSTITUTE OF MENTAL HEALTH

15 For carrying out section 301 and title IV of the Pub-
16 lic Health Service Act with respect to mental health,
17 \$1,114,638,000.

18 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

19 For carrying out section 301 and title IV of the Pub-
20 lic Health Service Act with respect to human genome re-
21 search, \$386,410,000.

22 NATIONAL CENTER FOR RESEARCH RESOURCES

23 For carrying out section 301 and title IV of the Pub-
24 lic Health Service Act with respect to research resources
25 and general research support grants, \$832,027,000: *Pro-*
26 *vided*, That none of these funds shall be used to pay recipi-

1 ents of the general research support grants program any
2 amount for indirect expenses in connection with such
3 grants: *Provided further*, That \$75,000,000 shall be for
4 extramural facilities construction grants.

5 JOHN E. FOGARTY INTERNATIONAL CENTER

6 For carrying out the activities at the John E.
7 Fogarty International Center, \$50,299,000.

8 NATIONAL LIBRARY OF MEDICINE

9 For carrying out section 301 and title IV of the Pub-
10 lic Health Service Act with respect to health information
11 communications, \$256,281,000, of which \$4,000,000 shall
12 be available until expended for improvement of informa-
13 tion systems: *Provided*, That in fiscal year 2001, the Li-
14 brary may enter into personal services contracts for the
15 provision of services in facilities owned, operated, or con-
16 structed under the jurisdiction of the National Institutes
17 of Health.

18 NATIONAL CENTER FOR COMPLEMENTARY AND
19 ALTERNATIVE MEDICINE

20 For carrying out section 301 and title IV of the Pub-
21 lic Health Service Act with respect to complementary and
22 alternative medicine, \$78,880,000.

23 OFFICE OF THE DIRECTOR

24 (INCLUDING TRANSFER OF FUNDS)

25 For carrying out the responsibilities of the Office of
26 the Director, National Institutes of Health, \$342,307,000,

1 of which \$48,271,000 shall be for the Office of AIDS Re-
2 search: *Provided*, That funding shall be available for the
3 purchase of not to exceed 20 passenger motor vehicles for
4 replacement only: *Provided further*, That the Director may
5 direct up to 1 percent of the total amount made available
6 in this or any other Act to all National Institutes of
7 Health appropriations to activities the Director may so
8 designate: *Provided further*, That no such appropriation
9 shall be decreased by more than 1 percent by any such
10 transfers and that the Congress is promptly notified of
11 the transfer: *Provided further*, That the National Insti-
12 tutes of Health is authorized to collect third party pay-
13 ments for the cost of clinical services that are incurred
14 in National Institutes of Health research facilities and
15 that such payments shall be credited to the National Insti-
16 tutes of Health Management Fund: *Provided further*, That
17 all funds credited to the National Institutes of Health
18 Management Fund shall remain available for 1 fiscal year
19 after the fiscal year in which they are deposited: *Provided*
20 *further*, That up to \$500,000 shall be available to carry
21 out section 499 of the Public Health Service Act: *Provided*
22 *further*, That, notwithstanding section 499(k)(10) of the
23 Public Health Service Act, funds from the Foundation for
24 the National Institutes of Health may be transferred to
25 the National Institutes of Health.

1 BUILDINGS AND FACILITIES

2 For the study of, construction of, and acquisition of
3 equipment for, facilities of or used by the National Insti-
4 tutes of Health, including the acquisition of real property,
5 \$178,700,000, to remain available until expended, of
6 which \$47,300,000 shall be for the National Neuroscience
7 Research Center: *Provided*, That notwithstanding any
8 other provision of law, a single contract or related con-
9 tracts for the development and construction of the first
10 phase of the National Neuroscience Research Center may
11 be employed which collectively include the full scope of the
12 project: *Provided further*, That the solicitation and con-
13 tract shall contain the clause “availability of funds” found
14 at 48 CFR 52.232–18.

15 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

16 ADMINISTRATION

17 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

18 For carrying out titles V and XIX of the Public
19 Health Service Act with respect to substance abuse and
20 mental health services, the Protection and Advocacy for
21 Mentally Ill Individuals Act of 1986, and section 301 of
22 the Public Health Service Act with respect to program
23 management, \$2,727,626,000.

1 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

2 HEALTHCARE RESEARCH AND QUALITY

3 For carrying out titles III and IX of the Public
4 Health Service Act, and part A of title XI of the Social
5 Security Act, \$123,669,000; in addition, amounts received
6 from Freedom of Information Act fees, reimbursable and
7 interagency agreements, and the sale of data shall be cred-
8 ited to this appropriation and shall remain available until
9 expended: *Provided*, That the amount made available pur-
10 suant to section 926(b) of the Public Health Service Act
11 shall not exceed \$99,980,000.

12 HEALTH CARE FINANCING ADMINISTRATION

13 GRANTS TO STATES FOR MEDICAID

14 For carrying out, except as otherwise provided, titles
15 XI and XIX of the Social Security Act, \$93,586,251,000,
16 to remain available until expended.

17 For making, after May 31, 2001, payments to States
18 under title XIX of the Social Security Act for the last
19 quarter of fiscal year 2001 for unanticipated costs, in-
20 curred for the current fiscal year, such sums as may be
21 necessary.

22 For making payments to States or in the case of sec-
23 tion 1928 on behalf of States under title XIX of the Social
24 Security Act for the first quarter of fiscal year 2002,
25 \$36,207,551,000, to remain available until expended.

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

5 PAYMENTS TO HEALTH CARE TRUST FUNDS

6 For payment to the Federal Hospital Insurance and
7 the Federal Supplementary Medical Insurance Trust
8 Funds, as provided under sections 217(g) and 1844 of the
9 Social Security Act, sections 103(c) and 111(d) of the So-
10 cial Security Amendments of 1965, section 278(d) of Pub-
11 lic Law 97–248, and for administrative expenses incurred
12 pursuant to section 201(g) of the Social Security Act,
13 \$70,381,600,000.

14 PROGRAM MANAGEMENT

15 For carrying out, except as otherwise provided, titles
16 XI, XVIII, XIX, and XXI of the Social Security Act, titles
17 XIII and XXVII of the Public Health Service Act, and
18 the Clinical Laboratory Improvement Amendments of
19 1988, not to exceed \$1,866,302,000, to be transferred
20 from the Federal Hospital Insurance and the Federal Sup-
21 plementary Medical Insurance Trust Funds, as authorized
22 by section 201(g) of the Social Security Act; together with
23 all funds collected in accordance with section 353 of the
24 Public Health Service Act and such sums as may be col-
25 lected from authorized user fees and the sale of data,
26 which shall remain available until expended, and together

1 with administrative fees collected relative to Medicare
2 overpayment recovery activities, which shall remain avail-
3 able until expended: *Provided*, That all funds derived in
4 accordance with 31 U.S.C. 9701 from organizations estab-
5 lished under title XIII of the Public Health Service Act
6 shall be credited to and available for carrying out the pur-
7 poses of this appropriation: *Provided further*, That
8 \$18,000,000 appropriated under this heading for the man-
9 aged care system redesign shall remain available until ex-
10 pended: *Provided further*, That the Secretary of Health
11 and Human Services is directed to collect fees in fiscal
12 year 2001 from Medicare+Choice organizations pursuant
13 to section 1857(e)(2) of the Social Security Act and from
14 eligible organizations with risk-sharing contracts under
15 section 1876 of that Act pursuant to section
16 1876(k)(4)(D) of that Act: *Provided further*, That, for the
17 current fiscal year, not more than \$630,000,000 may be
18 made available under section 1817(k)(4) of the Social Se-
19 curity Act (42 U.S.C. 1395i(k)(4)) from the Health Care
20 Fraud and Abuse Control Account of the Federal Hospital
21 Insurance Trust Fund to carry out the Medicare Integrity
22 Program under section 1893 of such Act.

23 HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN
24 GUARANTEE FUND

25 For carrying out subsections (d) and (e) of section
26 1308 of the Public Health Service Act, any amounts re-

1 ceived by the Secretary in connection with loans and loan
2 guarantees under title XIII of the Public Health Service
3 Act, to be available without fiscal year limitation for the
4 payment of outstanding obligations. During fiscal year
5 2001, no commitments for direct loans or loan guarantees
6 shall be made.

7 ADMINISTRATION FOR CHILDREN AND FAMILIES

8 PAYMENTS TO STATES FOR CHILD SUPPORT

9 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

10 For making payments to States or other non-Federal
11 entities under titles I, IV–D, X, XI, XIV, and XVI of the
12 Social Security Act and the Act of July 5, 1960 (24
13 U.S.C. ch. 9), \$2,473,800,000, to remain available until
14 expended; and for such purposes for the first quarter of
15 fiscal year 2002, \$1,000,000,000.

16 For making payments to each State for carrying out
17 the program of Aid to Families with Dependent Children
18 under title IV–A of the Social Security Act before the ef-
19 fective date of the program of Temporary Assistance to
20 Needy Families (TANF) with respect to such State, such
21 sums as may be necessary: *Provided*, That the sum of the
22 amounts available to a State with respect to expenditures
23 under such title IV–A in fiscal year 1997 under this ap-
24 propriation and under such title IV–A as amended by the
25 Personal Responsibility and Work Opportunity Reconcili-

1 ation Act of 1996 shall not exceed the limitations under
2 section 116(b) of such Act.

3 For making, after May 31 of the current fiscal year,
4 payments to States or other non-Federal entities under
5 titles I, IV–D, X, XI, XIV, and XVI of the Social Security
6 Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for
7 the last 3 months of the current year for unanticipated
8 costs, incurred for the current fiscal year, such sums as
9 may be necessary.

10 LOW INCOME HOME ENERGY ASSISTANCE

11 For making payments under title XXVI of the Omni-
12 bus Budget Reconciliation Act of 1981, \$1,100,000,000,
13 to be available for obligation in the period October 1, 2001
14 through September 30, 2002.

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

1 REFUGEE AND ENTRANT ASSISTANCE

2 For making payments for refugee and entrant assist-
3 ance activities authorized by title IV of the Immigration
4 and Nationality Act and section 501 of the Refugee Edu-
5 cation Assistance Act of 1980 (Public Law 96-422),
6 \$423,109,000: *Provided*, That funds appropriated pursu-
7 ant to section 414(a) of the Immigration and Nationality
8 Act for fiscal year 2001 shall be available for the costs
9 of assistance provided and other activities through Sep-
10 tember 30, 2003.

11 For carrying out section 5 of the Torture Victims Re-
12 lief Act of 1998 (Public Law 105-320), \$10,000,000.

13 PAYMENTS TO STATES FOR THE CHILD CARE AND
14 DEVELOPMENT BLOCK GRANT

15 For carrying out sections 658A through 658R of the
16 Omnibus Budget Reconciliation Act of 1981 (The Child
17 Care and Development Block Grant Act of 1990), in addi-
18 tion to amounts already appropriated for fiscal year 2001,
19 \$400,000,000; and to become available on October 1,
20 2001 and remain available through September 30, 2002,
21 \$2,000,000,000: *Provided*, That of the funds appropriated
22 for each of fiscal years 2001 and 2002, \$19,120,000 shall
23 be available for child care resource and referral and
24 school-aged child care activities: *Provided further*, That of
25 the funds provided for fiscal year 2002, \$172,672,000
26 shall be reserved by the States for activities authorized

1 under section 658G of the Omnibus Budget Reconciliation
2 Act of 1981 (The Child Care and Development Block
3 Grant Act of 1990), such funds to be in addition to the
4 amounts required to be reserved by the States under sec-
5 tion 658G.

6 SOCIAL SERVICES BLOCK GRANT

7 For making grants to States pursuant to section
8 2002 of the Social Security Act, \$1,700,000,000: *Pro-*
9 *vided*, That notwithstanding section 2003(c) of such Act,
10 as amended, the amount specified for allocation under
11 such section for fiscal year 2001 shall be \$1,700,000,000.

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, and sections 40155, 40211, and
24 40241 of Public law 103–322; for making payments under
25 the Community Services Block Grant Act, section 473A
26 of the Social Security Act, and title IV of Public Law 105–

1 285; and for necessary administrative expenses to carry
2 out said Acts and titles I, IV, X, XI, XIV, XVI, and XX
3 of the Social Security Act, the Act of July 5, 1960 (24
4 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of
5 1981, title IV of the Immigration and Nationality Act, sec-
6 tion 501 of the Refugee Education Assistance Act of 1980,
7 section 5 of the Torture Victims Relief Act of 1998 (Public
8 Law 105–320), sections 40155, 40211, and 40241 of Pub-
9 lic Law 103–322 and section 126 and titles IV and V of
10 Public Law 100–485, \$7,231,253,000, of which
11 \$43,000,000, to remain available until September 30,
12 2002, shall be for grants to States for adoption incentive
13 payments, as authorized by section 473A of title IV of the
14 Social Security Act (42 U.S.C. 670–679); of which
15 \$595,376,000 shall be for making payments under the
16 Community Services Block Grant Act; and of which
17 \$5,667,000,000 shall be for making payments under the
18 Head Start Act, of which \$1,400,000,000 shall become
19 available October 1, 2001 and remain available through
20 September 30, 2002: *Provided*, That to the extent Com-
21 munity Services Block Grant funds are distributed as
22 grant funds by a State to an eligible entity as provided
23 under the Act, and have not been expended by such entity,
24 they shall remain with such entity for carryover into the

1 next fiscal year for expenditure by such entity consistent
2 with program purposes.

3 Funds appropriated for fiscal year 2001 under sec-
4 tion 429A(e), part B of title IV of the Social Security Act
5 shall be reduced by \$6,000,000.

6 Funds appropriated for fiscal year 2001 under sec-
7 tion 413(h)(1) of the Social Security Act shall be reduced
8 by \$15,000,000.

9 PROMOTING SAFE AND STABLE FAMILIES

10 For carrying out section 430 of the Social Security
11 Act, \$305,000,000.

12 PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION

13 ASSISTANCE

14 For making payments to States or other non-Federal
15 entities under title IV–E of the Social Security Act,
16 \$4,863,100,000.

17 For making payments to States or other non-Federal
18 entities under title IV–E of the Social Security Act, for
19 the first quarter of fiscal year 2002, \$1,735,900,000.

20 ADMINISTRATION ON AGING

21 AGING SERVICES PROGRAMS

22 For carrying out, to the extent not otherwise pro-
23 vided, the Older Americans Act of 1965, as amended, and
24 section 398 of the Public Health Service Act,
25 \$925,805,000: *Provided*, That notwithstanding section
26 308(b)(1) of the Older Americans Act of 1965, as amend-

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

13 OFFICE OF THE SECRETARY

14 GENERAL DEPARTMENTAL MANAGEMENT

15 For necessary expenses, not otherwise provided, for
16 general departmental management, including hire of six
17 sedans, and for carrying out titles III, XVII, and XX of
18 the Public Health Service Act, and the United States-Mex-
19 ico Border Health Commission Act, \$206,780,000, to-
20 gether with \$5,851,000, to be transferred and expended
21 as authorized by section 201(g)(1) of the Social Security
22 Act from the Hospital Insurance Trust Fund and the Sup-
23 plemental Medical Insurance Trust Fund.

24 OFFICE OF INSPECTOR GENERAL

25 For expenses necessary for the Office of Inspector
26 General in carrying out the provisions of the Inspector

1 General Act of 1978, as amended, \$31,394,000: *Provided*,
2 That, for the current fiscal year, not more than
3 \$120,000,000 may be made available under section
4 1817(k)(3)(A) of the Social Security Act (42 U.S.C.
5 1395i(k)(3)(A)) from the Health Care Fraud and Abuse
6 Control Account of the Federal Hospital Insurance Trust
7 Fund for purposes of the activities of the Office of Inspec-
8 tor General with respect to the Medicare and Medicaid
9 programs.

10 OFFICE FOR CIVIL RIGHTS

11 For expenses necessary for the Office for Civil
12 Rights, \$18,774,000, together with not to exceed
13 \$3,314,000, to be transferred and expended as authorized
14 by section 201(g)(1) of the Social Security Act from the
15 Hospital Insurance Trust Fund and the Supplemental
16 Medical Insurance Trust Fund.

17 POLICY RESEARCH

18 For carrying out, to the extent not otherwise pro-
19 vided, research studies under section 1110 of the Social
20 Security Act, \$16,738,000.

21 RETIREMENT PAY AND MEDICAL BENEFITS FOR

22 COMMISSIONED OFFICERS

23 For retirement pay and medical benefits of Public
24 Health Service Commissioned Officers as authorized by
25 law, for payments under the Retired Serviceman's Family
26 Protection Plan and Survivor Benefit Plan, for medical

1 care of dependents and retired personnel under the De-
2 pendants' Medical Care Act (10 U.S.C. ch. 55), and for
3 payments pursuant to section 229(b) of the Social Secu-
4 rity Act (42 U.S.C. 429(b)), such amounts as may be re-
5 quired during the current fiscal year.

6 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

7 FUND

8 For expenses necessary to support activities related
9 to countering potential biological, disease and chemical
10 threats to civilian populations, \$236,600,000: *Provided*,
11 That this amount is distributed as follows: Centers for
12 Disease Control and Prevention, \$182,000,000, of which
13 \$30,000,000 shall be for the Health Alert Network; and
14 Office of Emergency Preparedness, \$54,600,000. In addi-
15 tion, \$114,040,000 shall be available to the Centers for
16 Disease Control and Prevention for the following activi-
17 ties: \$61,000,000 for international HIV/AIDS programs,
18 \$25,000,000 for global polio eradication activities,
19 \$18,040,000 for continued study of the anthrax vaccine;
20 and \$10,000,000 for activities related to the West Nile-
21 like virus. In addition, \$100,000,000 shall be available to
22 support the Ricky Ray Hemophilia Relief Fund Act of
23 1988: *Provided further*, That, notwithstanding any other
24 provision of law, up to \$8,000,000 of the amount provided
25 for the Ricky Ray Hemophilia Relief Fund Act may be
26 available for administrative expenses of the Health Re-

1 sources and Services Administration. In addition,
2 \$50,000,000 shall be available to the Office of the Sec-
3 retary for minority AIDS prevention and treatment activi-
4 ties: *Provided further*, That no funds shall be obligated
5 until the Department of Health and Human Services sub-
6 mits an operating plan to the House and Senate Commit-
7 tees on Appropriations.

8 GENERAL PROVISIONS

9 SEC. 201. Funds appropriated in this title shall be
10 available for not to exceed \$37,000 for official reception
11 and representation expenses when specifically approved by
12 the Secretary.

13 SEC. 202. The Secretary shall make available through
14 assignment not more than 60 employees of the Public
15 Health Service to assist in child survival activities and to
16 work in AIDS programs through and with funds provided
17 by the Agency for International Development, the United
18 Nations International Children's Emergency Fund or the
19 World Health Organization.

20 SEC. 203. None of the funds appropriated under this
21 Act may be used to implement section 399L(b) of the Pub-
22 lic Health Service Act or section 1503 of the National In-
23 stitutes of Health Revitalization Act of 1993, Public Law
24 103-43.

1 That this section shall not apply to funds appropriated
2 under the heading “Centers for Disease Control and Pre-
3 vention-Disease Control, Research, and Training”, funds
4 made available to the Centers for Disease Control and
5 Prevention under the heading “Public Health and Social
6 Services Emergency Fund”, or any other funds made
7 available in this Act to the Centers for Disease Control
8 and Prevention.

9 SEC. 207. The Director of the National Institutes of
10 Health, jointly with the Director of the Office of AIDS
11 Research, may transfer up to 3 percent among institutes,
12 centers, and divisions from the total amounts identified
13 by these two Directors as funding for research pertaining
14 to the human immunodeficiency virus: *Provided*, That the
15 Congress is promptly notified of the transfer.

16 SEC. 208. Of the amounts made available in this Act
17 for the National Institutes of Health, the amount for re-
18 search related to the human immunodeficiency virus, as
19 jointly determined by the Director of the National Insti-
20 tutes of Health and the Director of the Office of AIDS
21 Research, shall be made available to the “Office of AIDS
22 Research” account. The Director of the Office of AIDS
23 Research shall transfer from such account amounts nec-
24 essary to carry out section 2353(d)(3) of the Public
25 Health Service Act.

1 SEC. 209. None of the funds appropriated in this Act
2 may be made available to any entity under title X of the
3 Public Health Service Act unless the applicant for the
4 award certifies to the Secretary that it encourages family
5 participation in the decision of minors to seek family plan-
6 ning services and that it provides counseling to minors on
7 how to resist attempts to coerce minors into engaging in
8 sexual activities.

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

1 SEC. 211. With respect to fiscal year 2001, the
2 amount of an allotment of a State under section 1921 of
3 the Public Health Services Act shall not be less than the
4 amount the State received under such section for fiscal
5 year 2000 increased by 33.33 percent of the percentage
6 by which the amount allotted to the States for fiscal year
7 2001 exceeds the amount allotted to the States for fiscal
8 year 2000.

9 SEC. 212. Notwithstanding any other provision of
10 law, no provider of services under title X of the Public
11 Health Service Act shall be exempt from any State law
12 requiring notification or the reporting of child abuse, child
13 molestation, sexual abuse, rape, or incest.

14 SEC. 213. None of the funds in this Act or any other
15 Act may be used to obligate funds for the National Insti-
16 tutes of Health in excess of the total amount identified
17 for this purpose for fiscal year 2001 in the President's
18 budget request (H. Doc. 106-162): *Provided*, That none
19 of the funds made available for each Institute, Center, Of-
20 fice, or Buildings and Facilities shall be reduced below the
21 amounts shown in the budget request column of the table
22 printed in the report accompanying the bill making appro-
23 priations for the Departments of Labor, Health and
24 Human Services, Education, and Related Agencies for fis-
25 cal year 2001.

1 and of which \$6,204,763,000 shall become available on
2 October 1, 2001 and shall remain available through Sep-
3 tember 30, 2002, for academic year 2001–2002: *Provided*,
4 That \$6,783,000,000 shall be available for basic grants
5 under section 1124: *Provided further*, That up to
6 \$3,500,000 of these funds shall be available to the Sec-
7 retary on October 1, 2000, to obtain updated local-edu-
8 cational-agency-level census poverty data from the Bureau
9 of the Census: *Provided further*, That \$1,158,397,000
10 shall be available for concentration grants under section
11 1124A: *Provided further*, That \$8,900,000 shall be avail-
12 able for evaluations under section 1501 and not more than
13 \$8,500,000 shall be reserved for section 1308, of which
14 not more than \$3,000,000 shall be reserved for section
15 1308(d): *Provided further*, That \$190,000,000 shall be
16 available under section 1002(g)(2) to demonstrate effec-
17 tive approaches to comprehensive school reform to be allo-
18 cated and expended in accordance with the instructions
19 relating to this activity in the statement of the managers
20 on the conference report accompanying Public Law 105–
21 78 and in the statement of the managers on the conference
22 report accompanying Public Law 105–277: *Provided fur-*
23 *ther*, That in carrying out this initiative, the Secretary and
24 the States shall support only approaches that show the
25 most promise of enabling children served by title I to meet

1 challenging State content standards and challenging State
2 student performance standards based on reliable research
3 and effective practices, and include an emphasis on basic
4 academics and parental involvement.

5 IMPACT AID

6 For carrying out programs of financial assistance to
7 federally affected schools authorized by title VIII of the
8 Elementary and Secondary Education Act of 1965,
9 \$985,000,000, of which \$780,000,000 shall be for basic
10 support payments under section 8003(b), \$50,000,000
11 shall be for payments for children with disabilities under
12 section 8003(d), \$82,000,000, to remain available until
13 expended, shall be for payments under section 8003(f),
14 \$25,000,000 shall be for construction under section 8007,
15 \$40,000,000 shall be for Federal property payments under
16 section 8002, and \$8,000,000, to remain available until
17 expended, shall be for facilities maintenance under section
18 8008.

19 SCHOOL IMPROVEMENT PROGRAMS

20 For carrying out school improvement activities au-
21 thorized by titles IV, V-A and B, VI, IX, X, and XIII
22 of the Elementary and Secondary Education Act of 1965
23 (“ESEA”); the Stewart B. McKinney Homeless Assist-
24 ance Act; the Civil Rights Act of 1964; and part B of
25 title VIII of the Higher Education Act of 1965,
26 \$3,165,334,000, of which \$1,073,500,000 shall become

1 may use all, or any part of, their part C allocation for
2 competitive grants to local educational agencies.

3 SPECIAL EDUCATION

4 For carrying out the Individuals with Disabilities
5 Education Act, \$6,550,161,000, of which \$2,557,885,000
6 shall become available for obligation on July 1, 2001, and
7 shall remain available through September 30, 2002, and
8 of which \$3,742,000,000 shall become available on Octo-
9 ber 1, 2001 and shall remain available through September
10 30, 2002, for academic year 2001–2002: *Provided*, That
11 \$9,500,000 shall be for Recording for the Blind and
12 Dyslexic to support the development, production, and cir-
13 culation of recorded educational materials.

14 REHABILITATION SERVICES AND DISABILITY RESEARCH

15 For carrying out, to the extent not otherwise pro-
16 vided, the Rehabilitation Act of 1973, the Assistive Tech-
17 nology Act of 1998, and the Helen Keller National Center
18 Act, \$2,776,803,000: *Provided*, That notwithstanding sec-
19 tion 105(b)(1) of the Assistive Technology Act of 1998
20 (“the AT Act”), each State shall be provided \$50,000 for
21 activities under section 102 of the AT Act.

22 SPECIAL INSTITUTIONS FOR PERSONS WITH
23 DISABILITIES

24 AMERICAN PRINTING HOUSE FOR THE BLIND

25 For carrying out the Act of March 3, 1879, as
26 amended (20 U.S.C. 101 et seq.), \$11,000,000.

1 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

2 For the National Technical Institute for the Deaf
3 under titles I and II of the Education of the Deaf Act
4 of 1986 (20 U.S.C. 4301 et seq.), \$54,000,000, of which
5 \$6,000,000 shall be for construction and shall remain
6 available until expended: *Provided*, That from the total
7 amount available, the Institute may at its discretion use
8 funds for the endowment program as authorized under
9 section 207.

10 GALLAUDET UNIVERSITY

11 For the Kendall Demonstration Elementary School,
12 the Model Secondary School for the Deaf, and the partial
13 support of Gallaudet University under titles I and II of
14 the Education of the Deaf Act of 1986 (20 U.S.C. 4301
15 et seq.), \$89,400,000: *Provided*, That from the total
16 amount available, the University may at its discretion use
17 funds for the endowment program as authorized under
18 section 207.

19 VOCATIONAL AND ADULT EDUCATION

20 For carrying out, to the extent not otherwise pro-
21 vided, the Carl D. Perkins Vocational and Technical Edu-
22 cation Act and the Adult Education and Family Literacy
23 Act, \$1,718,600,000, of which \$1,000,000 shall remain
24 available until expended, and of which \$923,000,000 shall
25 become available on July 1, 2001 and shall remain avail-
26 able through September 30, 2002 and of which

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 of 1965 shall not exceed \$357,000,000, and the cost, as
6 defined in section 502 of the Congressional Budget Act
7 of 1974, 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 of 1965, as amended, \$207,000.

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 sections 10105 and 10601 of title X, and part C
19 of title XIII of the Elementary and Secondary Education
20 Act of 1965, as amended, and title VI of Public Law 103-
21 227, \$494,367,000: *Provided*, That \$50,000,000 shall be
22 available to demonstrate effective approaches to com-
23 prehensive school reform, to be allocated and expended in
24 accordance with the instructions relating to this activity
25 in the statement of managers on the conference report ac-
26 companying Public Law 105-78 and in the statement of

1 the managers on the conference report accompanying Pub-
2 lic Law 105–277: *Provided further*, That the funds made
3 available for comprehensive school reform shall become
4 available on July 1, 2001, and remain available through
5 September 30, 2002, and in carrying out this initiative,
6 the Secretary and the States shall support only ap-
7 proaches that show the most promise of enabling children
8 to meet challenging State content standards and chal-
9 lenging State student performance standards based on re-
10 liable research and effective practices, and include an em-
11 phasis on basic academics and parental involvement: *Pro-*
12 *vided further*, That \$30,000,000 of the funds provided for
13 the national education research institutes shall be allo-
14 cated notwithstanding section 912(m)(1)(B–F) and sub-
15 paragraphs (B) and (C) of section 931(c)(2) of Public
16 Law 103–227: *Provided further*, That \$45,000,000 shall
17 be available to support activities under section 10105 of
18 part A of title X of the Elementary and Secondary Edu-
19 cation Act of 1965, of which up to \$2,250,000 may be
20 available for evaluation, technical assistance, and school
21 networking activities: *Provided further*, That funds made
22 available to local educational agencies under this section
23 shall be used only for activities related to establishing
24 smaller learning communities in high schools: *Provided*
25 *further*, That funds made available for section 10105 of

1 part A of title X of the Elementary and Secondary Edu-
2 cation Act of 1965 shall become available on July 1, 2001,
3 and remain available through September 30, 2002.

4 DEPARTMENTAL MANAGEMENT

5 PROGRAM ADMINISTRATION

6 For carrying out, to the extent not otherwise pro-
7 vided, the Department of Education Organization Act, in-
8 cluding rental of conference rooms in the District of Co-
9 lumbia and hire of two passenger motor vehicles,
10 \$382,934,000.

11 OFFICE FOR CIVIL RIGHTS

12 For expenses necessary for the Office for Civil
13 Rights, as authorized by section 203 of the Department
14 of Education Organization Act, \$71,200,000.

15 OFFICE OF INSPECTOR GENERAL

16 For expenses necessary for the Office of Inspector
17 General, as authorized by section 212 of the Department
18 of Education Organization Act, \$34,000,000.

19 GENERAL PROVISIONS

20 SEC. 301. No funds appropriated in this Act may be
21 used for the transportation of students or teachers (or for
22 the purchase of equipment for such transportation) in
23 order to overcome racial imbalance in any school or school
24 system, or for the transportation of students or teachers
25 (or for the purchase of equipment for such transportation)

1 in order to carry out a plan of racial desegregation of any
2 school or school system.

3 SEC. 302. None of the funds contained in this Act
4 shall be used to require, directly or indirectly, the trans-
5 portation of any student to a school other than the school
6 which is nearest the student's home, except for a student
7 requiring special education, to the school offering such
8 special education, in order to comply with title VI of the
9 Civil Rights Act of 1964. For the purpose of this section
10 an indirect requirement of transportation of students in-
11 cludes the transportation of students to carry out a plan
12 involving the reorganization of the grade structure of
13 schools, the pairing of schools, or the clustering of schools,
14 or any combination of grade restructuring, pairing or clus-
15 tering. The prohibition described in this section does not
16 include the establishment of magnet schools.

17 SEC. 303. No funds appropriated under this Act may
18 be used to prevent the implementation of programs of vol-
19 untary prayer and meditation in the public schools.

20 SEC. 304. (a) INTERNET FILTERING.—No funds
21 made available under title III of the Elementary and Sec-
22 ondary Education Act of 1965 to a local educational agen-
23 cy or elementary or secondary school may be used to pur-
24 chase computers used to access the Internet, or to pay
25 for direct costs associated with accessing the Internet, un-

1 less such agency or school has in place, on computers that
2 are accessible to minors, and during use by such minors,
3 technology which filters or blocks—

4 (1) material that is obscene;

5 (2) child pornography; and

6 (3) material harmful to minors.

7 (b) **DISABLING DURING ADULT USE.**—An adminis-
8 trator, supervisor, or other authority may disable the tech-
9 nology described in subsection (a) during use by an adult,
10 to enable unfiltered access for bona fide research or other
11 lawful purposes.

12 (c) **RULE OF CONSTRUCTION.**—Nothing in this sec-
13 tion shall be construed to prohibit a local educational
14 agency or elementary or secondary school from filtering
15 or blocking materials other than those referred to in para-
16 graph (1), (2), or (3) of subsection (a).

17 (d) **DEFINITIONS.**—

18 (1) **MATERIAL HARMFUL TO MINORS.**—The
19 term “material harmful to minors” has the meaning
20 given such term in section 231(e)(6) of the Commu-
21 nications Act of 1934.

22 (2) **CHILD PORNOGRAPHY.**—The term “child
23 pornography” has the meaning given such term in
24 section 2256(8) of title 18, United States Code.

1 (3) MINOR.—The term “minor” has the mean-
2 ing given such term in section 2256(1) of title 18,
3 United States Code.

4 (e) SEVERABILITY.—If any provision of this section
5 is held invalid, the remainder of such section and this Act
6 shall not be affected thereby.

7 SEC. 305. None of the funds made available in this
8 Act may be used to carry out any activities related to any
9 federally sponsored national test in reading, mathematics,
10 or any other subject that is not specifically and explicitly
11 provided for in authorizing legislation enacted into law,
12 except that such limitation shall not apply to the Third
13 International Mathematics and Science Study or other
14 international comparative assessments developed under
15 the authority of section 404(a)(6) of the National Edu-
16 cation Statistics Act of 1994 (20 U.S.C. 9003(a)(6) et
17 seq.) and administered to only a representative sample of
18 pupils in the United States and in foreign nations.

19 This title may be cited as the “Department of Edu-
20 cation Appropriations Act, 2001”.

21 TITLE IV—RELATED AGENCIES

22 ARMED FORCES RETIREMENT HOME

23 For expenses necessary for the Armed Forces Retire-
24 ment Home to operate and maintain the United States
25 Soldiers’ and Airmen’s Home and the United States Naval

1 Home, to be paid from funds available in the Armed
2 Forces Retirement Home Trust Fund, \$69,832,000, of
3 which \$9,832,000 shall remain available until expended
4 for construction and renovation of the physical plants at
5 the United States Soldiers' and Airmen's Home and the
6 United States Naval Home: *Provided*, That, notwith-
7 standing any other provision of law, a single contract or
8 related contracts for development and construction, to in-
9 clude construction of a long-term care facility at the
10 United States Naval Home, may be employed which collec-
11 tively include the full scope of the project: *Provided fur-*
12 *ther*, That the solicitation and contract shall contain the
13 clause "availability of funds" found at 48 CFR 52.232-
14 18 and 252.232-7007, Limitation of Government Obliga-
15 tions.

16 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
17 DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING
18 EXPENSES

19 For expenses necessary for the Corporation for Na-
20 tional and Community Service to carry out the provisions
21 of the Domestic Volunteer Service Act of 1973, as amend-
22 ed, \$294,527,000: *Provided*, That none of the funds made
23 available to the Corporation for National and Community
24 Service in this Act for activities authorized by part E of
25 title II of the Domestic Volunteer Service Act of 1973

1 shall be used to provide stipends or other monetary incen-
2 tives to volunteers or volunteer leaders whose incomes ex-
3 ceed 125 percent of the national poverty level.

4 CORPORATION FOR PUBLIC BROADCASTING

5 For payment to the Corporation for Public Broad-
6 casting, as authorized by the Communications Act of
7 1934, an amount which shall be available within limita-
8 tions specified by that Act, for the fiscal year 2003,
9 \$365,000,000: *Provided*, That no funds made available to
10 the Corporation for Public Broadcasting by this Act shall
11 be used to pay for receptions, parties, or similar forms
12 of entertainment for Government officials or employees:
13 *Provided further*, That none of the funds contained in this
14 paragraph shall be available or used to aid or support any
15 program or activity from which any person is excluded,
16 or is denied benefits, or is discriminated against, on the
17 basis of race, color, national origin, religion, or sex.

18 FEDERAL MEDIATION AND CONCILIATION SERVICE

19 SALARIES AND EXPENSES

20 For expenses necessary for the Federal Mediation
21 and Conciliation Service to carry out the functions vested
22 in it by the Labor Management Relations Act, 1947 (29
23 U.S.C. 171–180, 182–183), including hire of passenger
24 motor vehicles; for expenses necessary for the Labor-Man-
25 agement Cooperation Act of 1978 (29 U.S.C. 175a); and

1 for expenses necessary for the Service to carry out the
2 functions vested in it by the Civil Service Reform Act,
3 Public Law 95–454 (5 U.S.C. ch. 71), \$37,500,000, in-
4 cluding \$1,500,000, to remain available through Sep-
5 tember 30, 2002, for activities authorized by the Labor-
6 Management Cooperation Act of 1978 (29 U.S.C. 175a):
7 *Provided*, That notwithstanding 31 U.S.C. 3302, fees
8 charged, up to full-cost recovery, for special training ac-
9 tivities and other conflict resolution services and technical
10 assistance, including those provided to foreign govern-
11 ments and international organizations, and for arbitration
12 services shall be credited to and merged with this account,
13 and shall remain available until expended: *Provided fur-*
14 *ther*, That fees for arbitration services shall be available
15 only for education, training, and professional development
16 of the agency workforce: *Provided further*, That the Direc-
17 tor of the Service is authorized to accept and use on behalf
18 of the United States gifts of services and real, personal,
19 or other property in the aid of any projects or functions
20 within the Director’s jurisdiction.

1 FEDERAL MINE SAFETY AND HEALTH REVIEW

2 COMMISSION

3 SALARIES AND EXPENSES

4 For expenses necessary for the Federal Mine Safety
5 and Health Review Commission (30 U.S.C. 801 et seq.),
6 \$6,200,000.

7 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

8 OFFICE OF LIBRARY SERVICES: GRANTS AND

9 ADMINISTRATION

10 For carrying out subtitle B of the Museum and Li-
11 brary Services Act, \$170,000,000.

12 MEDICARE PAYMENT ADVISORY COMMISSION

13 SALARIES AND EXPENSES

14 For expenses necessary to carry out section 1805 of
15 the Social Security Act, \$8,000,000, to be transferred to
16 this appropriation from the Federal Hospital Insurance
17 and the Federal Supplementary Medical Insurance Trust
18 Funds.

19 NATIONAL COMMISSION ON LIBRARIES AND

20 INFORMATION SCIENCE

21 SALARIES AND EXPENSES

22 For necessary expenses for the National Commission
23 on Libraries and Information Science, established by the
24 Act of July 20, 1970 (Public Law 91-345, as amended),
25 \$1,400,000.

1 NATIONAL COUNCIL ON DISABILITY

2 SALARIES AND EXPENSES

3 For expenses necessary for the National Council on
4 Disability as authorized by title IV of the Rehabilitation
5 Act of 1973, as amended, \$2,450,000.

6 NATIONAL LABOR RELATIONS BOARD

7 SALARIES AND EXPENSES

8 For expenses necessary for the National Labor Rela-
9 tions Board to carry out the functions vested in it by the
10 Labor-Management Relations Act, 1947, as amended (29
11 U.S.C. 141–167), and other laws, \$205,717,000: *Pro-*
12 *vided*, That no part of this appropriation shall be available
13 to organize or assist in organizing agricultural laborers or
14 used in connection with investigations, hearings, direc-
15 tives, or orders concerning bargaining units composed of
16 agricultural laborers as referred to in section 2(3) of the
17 Act of July 5, 1935 (29 U.S.C. 152), and as amended
18 by the Labor-Management Relations Act, 1947, as amend-
19 ed, and as defined in section 3(f) of the Act of June 25,
20 1938 (29 U.S.C. 203), and including in said definition em-
21 ployees engaged in the maintenance and operation of
22 ditches, canals, reservoirs, and waterways when main-
23 tained or operated on a mutual, nonprofit basis and at
24 least 95 percent of the water stored or supplied thereby
25 is used for farming purposes.

1 NATIONAL MEDIATION BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary to carry out the provisions
4 of the Railway Labor Act, as amended (45 U.S.C. 151–
5 188), including emergency boards appointed by the Presi-
6 dent, \$9,800,000.

7 OCCUPATIONAL SAFETY AND HEALTH REVIEW

8 COMMISSION

9 SALARIES AND EXPENSES

10 For expenses necessary for the Occupational Safety
11 and Health Review Commission (29 U.S.C. 661),
12 \$8,600,000.

13 RAILROAD RETIREMENT BOARD

14 DUAL BENEFITS PAYMENTS ACCOUNT

15 For payment to the Dual Benefits Payments Ac-
16 count, authorized under section 15(d) of the Railroad Re-
17 tirement Act of 1974, \$160,000,000, which shall include
18 amounts becoming available in fiscal year 2001 pursuant
19 to section 224(e)(1)(B) of Public Law 98–76; and in addi-
20 tion, an amount, not to exceed 2 percent of the amount
21 provided herein, shall be available proportional to the
22 amount by which the product of recipients and the average
23 benefit received exceeds \$160,000,000: *Provided*, That the
24 total amount provided herein shall be credited in 12 ap-

1 proximately equal amounts on the first day of each month
2 in the fiscal year.

3 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

4 ACCOUNTS

5 For payment to the accounts established in the
6 Treasury for the payment of benefits under the Railroad
7 Retirement Act for interest earned on unnegotiated
8 checks, \$150,000, to remain available through September
9 30, 2002, which shall be the maximum amount available
10 for payment pursuant to section 417 of Public Law 98–
11 76.

12 LIMITATION ON ADMINISTRATION

13 For necessary expenses for the Railroad Retirement
14 Board for administration of the Railroad Retirement Act
15 and the Railroad Unemployment Insurance Act,
16 \$95,000,000, to be derived in such amounts as determined
17 by the Board from the railroad retirement accounts and
18 from moneys credited to the railroad unemployment insur-
19 ance administration fund.

20 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

21 For expenses necessary for the Office of Inspector
22 General for audit, investigatory and review activities, as
23 authorized by the Inspector General Act of 1978, as
24 amended, not more than \$5,380,000, to be derived from
25 the railroad retirement accounts and railroad unemploy-
26 ment insurance account: *Provided*, That none of the funds

1 made available in any other paragraph of this Act may
2 be transferred to the Office; used to carry out any such
3 transfer; used to provide any office space, equipment, of-
4 fice supplies, communications facilities or services, mainte-
5 nance services, or administrative services for the Office;
6 used to pay any salary, benefit, or award for any personnel
7 of the Office; used to pay any other operating expense of
8 the Office; or used to reimburse the Office for any service
9 provided, or expense incurred, by the Office.

10 SOCIAL SECURITY ADMINISTRATION

11 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

12 For payment to the Federal Old-Age and Survivors
13 Insurance and the Federal Disability Insurance trust
14 funds, as provided under sections 201(m), 228(g), and
15 1131(b)(2) of the Social Security Act, \$20,400,000.

16 SPECIAL BENEFITS FOR DISABLED COAL MINERS

17 For carrying out title IV of the Federal Mine Safety
18 and Health Act of 1977, \$365,748,000, to remain avail-
19 able until expended.

20 For making, after July 31 of the current fiscal year,
21 benefit payments to individuals under title IV of the Fed-
22 eral Mine Safety and Health Act of 1977, for costs in-
23 curred in the current fiscal year, such amounts as may
24 be necessary.

25 For making benefit payments under title IV of the
26 Federal Mine Safety and Health Act of 1977 for the first

1 quarter of fiscal year 2002, \$114,000,000, to remain
2 available until expended.

3 SUPPLEMENTAL SECURITY INCOME PROGRAM

4 For carrying out titles XI and XVI of the Social Se-
5 curity Act, section 401 of Public Law 92–603, section 212
6 of Public Law 93–66, as amended, and section 405 of
7 Public Law 95–216, including payment to the Social Secu-
8 rity trust funds for administrative expenses incurred pur-
9 suant to section 201(g)(1) of the Social Security Act,
10 \$22,791,000,000 (increased by \$35,000,000), to remain
11 available until expended: *Provided*, That any portion of the
12 funds provided to a State in the current fiscal year and
13 not obligated by the State during that year shall be re-
14 turned to the Treasury.

15 In addition, \$245,000,000 (reduced by \$35,000,000),
16 to remain available until September 30, 2002, for payment
17 to the Social Security trust funds for administrative ex-
18 penses for continuing disability reviews as authorized by
19 section 103 of Public Law 104–121 and section 10203 of
20 Public Law 105–33. The term “continuing disability re-
21 views” means reviews and redeterminations as defined
22 under section 201(g)(1)(A) of the Social Security Act, as
23 amended.

24 For making, after June 15 of the current fiscal year,
25 benefit payments to individuals under title XVI of the So-

1 cial Security Act, for unanticipated costs incurred for the
2 current fiscal year, such sums as may be necessary.

3 For making benefit payments under title XVI of the
4 Social Security Act for the first quarter of fiscal year
5 2002, \$10,470,000,000, to remain available until ex-
6 pended.

7 LIMITATION ON ADMINISTRATIVE EXPENSES

8 For necessary expenses, including the hire of two pas-
9 senger motor vehicles, and not to exceed \$10,000 for offi-
10 cial reception and representation expenses, not more than
11 \$6,367,036,000 (increased by \$70,000,000) may be ex-
12 pended, as authorized by section 201(g)(1) of the Social
13 Security Act, from any one or all of the trust funds re-
14 ferred to therein: *Provided*, That not less than \$1,800,000
15 shall be for the Social Security Advisory Board: *Provided*
16 *further*, That unobligated balances at the end of fiscal year
17 2001 not needed for fiscal year 2001 shall remain avail-
18 able until expended to invest in the Social Security Admin-
19 istration information technology and telecommunications
20 hardware and software infrastructure, including related
21 equipment and non-payroll administrative expenses associ-
22 ated solely with this information technology and tele-
23 communications infrastructure: *Provided further*, That re-
24 imbursement to the trust funds under this heading for ex-
25 penditures for official time for employees of the Social Se-
26 curity Administration pursuant to section 7131 of title 5,

1 United States Code, and for facilities or support services
2 for labor organizations pursuant to policies, regulations,
3 or procedures referred to in section 7135(b) of such title
4 shall be made by the Secretary of the Treasury, with inter-
5 est, from amounts in the general fund not otherwise ap-
6 propriated, as soon as possible after such expenditures are
7 made.

8 From funds provided under the first paragraph, not
9 less than \$130,000,000 (increased by \$70,000,000) shall
10 be available for conducting continuing disability reviews.

11 In addition to funding already available under this
12 heading, and subject to the same terms and conditions,
13 \$520,000,000 (reduced by \$70,000,000), to remain avail-
14 able until September 30, 2002, for continuing disability
15 reviews as authorized by section 103 of Public Law 104-
16 121 and section 10203 of Public Law 105-33. The term
17 “continuing disability reviews” means reviews and redeter-
18 minations as defined under section 201(g)(1)(A) of the
19 Social Security Act, as amended.

20 In addition, \$91,000,000 to be derived from adminis-
21 tration fees in excess of \$5.00 per supplementary payment
22 collected pursuant to section 1616(d) of the Social Secu-
23 rity Act or section 212(b)(3) of Public Law 93-66, which
24 shall remain available until expended. To the extent that
25 the amounts collected pursuant to such section 1616(d)

1 or 212(b)(3) in fiscal year 2001 exceed \$91,000,000, the
2 amounts shall be available in fiscal year 2002 only to the
3 extent provided in advance in appropriations Acts.

4 From funds previously appropriated for this purpose,
5 any unobligated balances at the end of fiscal year 2000
6 shall be available to continue Federal-State partnerships
7 which will evaluate means to promote Medicare buy-in pro-
8 grams targeted to elderly and disabled individuals under
9 titles XVIII and XIX of the Social Security Act.

10 OFFICE OF INSPECTOR GENERAL
11 (INCLUDING TRANSFER OF FUNDS)

12 For expenses necessary for the Office of Inspector
13 General in carrying out the provisions of the Inspector
14 General Act of 1978, as amended, \$14,944,000, together
15 with not to exceed \$50,808,000, to be transferred and ex-
16 pended as authorized by section 201(g)(1) of the Social
17 Security Act from the Federal Old-Age and Survivors In-
18 surance Trust Fund and the Federal Disability Insurance
19 Trust Fund.

20 In addition, an amount not to exceed 3 percent of
21 the total provided in this appropriation may be transferred
22 from the "Limitation on Administrative Expenses", Social
23 Security Administration, to be merged with this account,
24 to be available for the time and purposes for which this
25 account is available: *Provided*, That notice of such trans-

1 fers shall be transmitted promptly to the Committees on
2 Appropriations of the House and Senate.

3 UNITED STATES INSTITUTE OF PEACE
4 OPERATING EXPENSES

5 For necessary expenses of the United States Institute
6 of Peace as authorized in the United States Institute of
7 Peace Act, \$15,000,000.

8 TITLE V—GENERAL PROVISIONS

9 SEC. 501. The Secretaries of Labor, Health and
10 Human Services, and Education are authorized to transfer
11 unexpended balances of prior appropriations to accounts
12 corresponding to current appropriations provided in this
13 Act: *Provided*, That such transferred balances are used for
14 the same purpose, and for the same periods of time, for
15 which they were originally appropriated.

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

19 SEC. 503. (a) No part of any appropriation contained
20 in this Act shall be used, other than for normal and recog-
21 nized executive-legislative relationships, for publicity or
22 propaganda purposes, for the preparation, distribution, or
23 use of any kit, pamphlet, booklet, publication, radio, tele-
24 vision, or video presentation designed to support or defeat
25 legislation pending before the Congress or any State legis-

1 lature, except in presentation to the Congress or any State
2 legislature itself.

3 (b) No part of any appropriation contained in this
4 Act shall be used to pay the salary or expenses of any
5 grant or contract recipient, or agent acting for such recipi-
6 ent, related to any activity designed to influence legislation
7 or appropriations pending before the Congress or any
8 State legislature.

9 SEC. 504. The Secretaries of Labor and Education
10 are authorized to make available not to exceed \$20,000
11 and \$15,000, respectively, from funds available for sala-
12 ries and expenses under titles I and III, respectively, for
13 official reception and representation expenses; the Direc-
14 tor of the Federal Mediation and Conciliation Service is
15 authorized to make available for official reception and rep-
16 resentation expenses not to exceed \$2,500 from the funds
17 available for "Salaries and expenses, Federal Mediation
18 and Conciliation Service"; and the Chairman of the Na-
19 tional Mediation Board is authorized to make available for
20 official reception and representation expenses not to ex-
21 ceed \$2,500 from funds available for "Salaries and ex-
22 penses, National Mediation Board".

23 SEC. 505. Notwithstanding any other provision of
24 this Act, no funds appropriated under this Act shall be
25 used to carry out any program of distributing sterile nee-

1 dles or syringes for the hypodermic injection of any illegal
2 drug.

3 SEC. 506. (a) Purchase of American-Made Equip-
4 ment and Products.—It is the sense of the Congress that,
5 to the greatest extent practicable, all equipment and prod-
6 ucts purchased with funds made available in this Act
7 should be American-made.

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

14 (c) PROHIBITION OF CONTRACTS WITH PERSONS
15 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
16 If it has been finally determined by a court or Federal
17 agency that any person intentionally affixed a label bear-
18 ing a “Made in America” inscription, or any inscription
19 with the same meaning, to any product sold in or shipped
20 to the United States that is not made in the United
21 States, the person shall be ineligible to receive any con-
22 tract or subcontract made with funds made available in
23 this Act, pursuant to the debarment, suspension, and ineli-
24 gibility procedures described in sections 9.400 through
25 9.409 of title 48, Code of Federal Regulations.

1 SEC. 507. When issuing statements, press releases,
2 requests for proposals, bid solicitations and other docu-
3 ments describing projects or programs funded in whole or
4 in part with Federal money, all grantees receiving Federal
5 funds included in this Act, including but not limited to
6 State and local governments and recipients of Federal re-
7 search grants, shall clearly state: (1) the percentage of the
8 total costs of the program or project which will be financed
9 with Federal money; (2) the dollar amount of Federal
10 funds for the project or program; and (3) percentage and
11 dollar amount of the total costs of the project or program
12 that will be financed by non-governmental sources.

13 SEC. 508. (a) None of the funds appropriated under
14 this Act, and none of the funds in any trust fund to which
15 funds are appropriated under this Act, shall be expended
16 for any abortion.

17 (b) None of the funds appropriated under this Act,
18 and none of the funds in any trust fund to which funds
19 are appropriated under this Act, shall be expended for
20 health benefits coverage that includes coverage of abor-
21 tion.

22 (c) The term “health benefits coverage” means the
23 package of services covered by a managed care provider
24 or organization pursuant to a contract or other arrange-
25 ment.

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

3 (1) if the pregnancy is the result of an act of
4 rape or incest; or

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

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

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

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

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

3 (2) research in which a human embryo or em-
4 bryos are destroyed, discarded, or knowingly sub-
5 jected to risk of injury or death greater than that
6 allowed for research on fetuses in utero under 45
7 CFR 46.208(a)(2) and section 498(b) of the Public
8 Health Service Act (42 U.S.C. 289g(b)).

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

15 SEC. 511. (a) LIMITATION ON USE OF FUNDS FOR
16 PROMOTION OF LEGALIZATION OF CONTROLLED SUB-
17 STANCES.—None of the funds made available in this Act
18 may be used for any activity that promotes the legalization
19 of any drug or other substance included in schedule I of
20 the schedules of controlled substances established by sec-
21 tion 202 of the Controlled Substances Act (21 U.S.C.
22 812).

23 (b) EXCEPTIONS.—The limitation in subsection (a)
24 shall not apply when there is significant medical evidence
25 of a therapeutic advantage to the use of such drug or other

1 substance or that federally sponsored clinical trials are
2 being conducted to determine therapeutic advantage.

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

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

12 (2) such entity has not submitted a report as
13 required by that section for the most recent year for
14 which such requirement was applicable to such enti-
15 ty.

16 SEC. 513. Except as otherwise specifically provided
17 by law, unobligated balances remaining available at the
18 end of fiscal year 2000 from appropriations made avail-
19 able for salaries and expenses for fiscal year 2000 in this
20 Act, shall remain available through December 31, 2000,
21 for each such account for the purposes authorized: *Pro-*
22 *vided*, That the House and Senate Committees on Appro-
23 priations shall be notified at least 15 days prior to the
24 obligation of such funds: *Provided further*, That the provi-
25 sions of this section shall not apply to any funds appro-

1 priated to the Centers for Disease Control and Prevention
2 or to the Department of Education.

3 SEC. 514. Section 5527 of Public Law 105–33, The
4 Balanced Budget Act of 1997, is repealed.

5 SEC. 515. (a) DATES FOR EVALUATION.—Section
6 403(a)(5)(H)(iii) of the Social Security Act (42 U.S.C.
7 603(a)(5)(H)(iii)) is amended by striking “2001” and in-
8 serting “2005”.

9 (b) INTERIM REPORT REQUIRED.—Section
10 403(a)(5)(H) of such Act (42 U.S.C. 603(a)(5)(G)) is
11 amended by adding at the end the following:

12 “(iv) INTERIM REPORT.—Not later
13 than January 1, 2002, the Secretary shall
14 submit to the Congress an interim report
15 on the evaluations referred to in clause
16 (i).”.

17 SEC. 516. Section 403(a)(3)(A) (42 U.S.C.
18 603(a)(3)(A)) is amended—

19 (1) in clause (i), by striking “and” at the end;

20 (2) in clause (ii)—

21 (A) by striking “1999, 2000, and 2001”

22 and inserting “1999 and 2000”; and

23 (B) by striking the period at the end and

24 inserting “; and”; and

1 (3) by adding at the end the following new
2 clause:

3 “(iii) for fiscal year 2001, a grant in
4 an amount equal to the amount of the
5 grant to the State under clause (i) for fis-
6 cal year 1998.”.

7 SEC. 517. Section 410(b) of The Ticket to Work and
8 Work Incentives Improvement Act of 1999 (Public Law
9 106–170) is amended by striking “2009” each place it ap-
10 pears and inserting “2001”.

11 SEC. 518. If the total level of discretionary advance
12 appropriations for fiscal year 2002 and subsequent fiscal
13 years provided in general appropriation Acts for fiscal year
14 2001 exceeds \$23,500,000,000, there shall be rescinded
15 from the amount made available in this Act for fiscal year
16 2002 under the heading “ADMINISTRATION FOR CHIL-
17 DREN AND FAMILIES—PAYMENTS TO STATES FOR THE
18 CHILD CARE AND DEVELOPMENT BLOCK GRANT” an
19 amount sufficient to reduce the total level of such discre-
20 tionary advance appropriations to \$23,500,000,000: *Pro-*
21 *vided*, That the rescission shall not exceed an amount that
22 would cause the amount provided under such heading to
23 be less than the amount provided for fiscal year 2001 in
24 the Departments of Labor, Health and Human Services,
25 and Education, and Related Agencies Appropriations Act,

1 2000 (as enacted into law by section 1000(a)(4) of Public
2 Law 106–113).

3 SEC. 519. None of the funds made available in this
4 Act may be used to promulgate or adopt any final stand-
5 ard under section 1173(b) of the Social Security Act (42
6 U.S.C. 1320d–2(b)).

7 SEC. 520. None of the funds made available in this
8 Act may be used to prohibit military recruiting at sec-
9 ondary schools.

10 SEC. 521. None of the funds made available in this
11 Act for the National Institutes of Health may be used to
12 grant an exclusive or partially exclusive license pursuant
13 to chapter 18 of title 35, United States Code, except in
14 accordance with section 209 of such title (relating to the
15 availability to the public of an invention and its benefits
16 on reasonable terms).

17 This Act may be cited as the “Departments of Labor,
18 Health and Human Services, and Education, and Related
19 Agencies Appropriations Act, 2001”.

Passed the House of Representatives June 14, 2000.

Attest:

JEFF TRANDAHL,

Clerk.

Calendar No. 605

106TH CONGRESS
2D SESSION

H. R. 4577

AN ACT

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

JUNE 15, 2000

Received; read twice and placed on the calendar