

In the Senate of the United States,

October 12 (legislative day, September 22), 2000.

Resolved, That the bill from the House of Representatives (H.R. 4635) entitled “An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1

DIVISION A

2 *That the following sums are appropriated, out of any*
3 *money in the Treasury not otherwise appropriated, for the*
4 *Departments of Veterans Affairs and Housing and Urban*
5 *Development, and for sundry independent agencies, boards,*
6 *commissions, corporations, and offices for the fiscal year*
7 *ending September 30, 2001, and for other purposes, namely:*

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFERS OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), \$22,766,276,000, to remain available until expended: *Provided*, That not to exceed \$17,419,000 of the amount appropriated shall be reimbursed to "General operating expenses" and "Medical care" for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the "Compensation and pensions" appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical facilities revolving fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by 38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61, \$1,634,000,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5) and (11) of that section, shall be charged to the account: *Provided further*, That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 98–77, as amended.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, \$19,850,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That during fiscal year 2001, within the resources available, not to exceed \$300,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$162,000,000, which may be trans-

ferred to and merged with the appropriation for “General operating expenses”.

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$1,000, as authorized by 38 U.S.C. 3698, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$3,400.

In addition, for administrative expenses necessary to carry out the direct loan program, \$220,000, which may be transferred to and merged with the appropriation for “General operating expenses”.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$52,000, as authorized by 38 U.S.C. chapter 31, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,726,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$432,000, which may be transferred to and merged with the appropriation for “General operating expenses”.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, \$532,000, which may be transferred to and merged with the appropriation for “General operating expenses”.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Not to exceed \$750,000 of the amounts appropriated by this Act for “General operating expenses” and “Medical care” may be expended for the administrative expenses to carry out the guaranteed loan program authorized by 38 U.S.C. chapter 37, subchapter VI.

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the department; and furnishing recreational facilities, supplies, and equipment; funeral, burial, and other expenses incidental thereto for beneficiaries receiving care in the department; administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the department; oversight, engineering and architectural activities not charged to project cost; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms

or allowances therefor, as authorized by 5 U.S.C. 5901–5902; aid to State homes as authorized by 38 U.S.C. 1741; administrative and legal expenses of the department for collecting and recovering amounts owed the department as authorized under 38 U.S.C. chapter 17, and the Federal Medical Care Recovery Act, 42 U.S.C. 2651 et seq., \$20,281,587,000, plus reimbursements: *Provided*, That of the funds made available under this heading, \$900,000,000 is for the equipment and land and structures object classifications only, which amount shall not become available for obligation until August 1, 2001, and shall remain available until September 30, 2002: *Provided further*, That of the funds made available under this heading, not to exceed \$500,000,000 shall be available until September 30, 2002: *Provided further*, That of the funds made available under this heading, not to exceed \$28,134,000 may be transferred to and merged with the appropriation for “General operating expenses”: *Provided further*, That the Secretary of Veterans Affairs shall conduct by contract a program of recovery audits for the fee basis and other medical services contracts with respect to payments for hospital care; and, notwithstanding 31 U.S.C. 3302(b), amounts collected, by setoff or otherwise, as the result of such audits shall be available, without fiscal year limitation, for the purposes for which funds are appropriated under this heading and the purposes of paying a contractor a percent of the amount collected as a result of an audit carried out by the contractor: *Provided further*, That all amounts so collected under the preceding proviso with respect to a designated health care region (as that term is defined in 38 U.S.C. 1729A(d)(2)) shall be allocated, net of payments to the contractor, to that region.

In addition, in conformance with Public Law 105–33 establishing the Department of Veterans Affairs Medical Care Collections Fund, such sums as may be deposited to such Fund pursuant to 38 U.S.C. 1729A may be transferred to this account, to remain available until expended for the purposes of this account.

None of the foregoing funds may be transferred to the Department of Justice for the purposes of supporting tobacco litigation.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by 38 U.S.C. chapter 73, to remain available until September 30, 2002, \$351,000,000, plus reimbursements.

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities, \$62,000,000 plus reimbursements: *Provided*, That technical and consulting services offered by the Facilities Management Field Service, including project management and real property administration (including leases, site acquisition and disposal activities directly supporting projects), shall be provided to Department of Veterans Affairs components only on a reimbursable basis, and such amounts will remain available until September 30, 2001.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including uniforms or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, \$1,050,000,000: *Provided*, That expenses for

services and assistance authorized under 38 U.S.C. 3104(a)(1), (2), (5) and (11) that the Secretary determines are necessary to enable entitled veterans (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That of the funds made available under this heading, not to exceed \$45,000,000 shall be available until September 30, 2002: *Provided further*, That funds under this heading shall be available to administer the Service Members Occupational Conversion and Training Act.

NATIONAL CEMETERY ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the maintenance and operation of the National Cemetery Administration, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of two passenger motor vehicles for use in cemeterial operations; and hire of passenger motor vehicles, \$109,889,000: *Provided*, That travel expenses shall not exceed \$1,125,000: *Provided further*, That of the amount made available under this heading, not to exceed \$125,000 may be transferred to and merged with the appropriation for "General operating expenses".

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$46,464,000: *Provided*, That of the amount made available under this heading, not to exceed \$28,000 may be transferred to and merged with the appropriation for "General operating expenses".

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is \$4,000,000 or more or where funds for a project were made available in a previous major project appropriation, \$66,040,000, to remain available until expended: *Provided*, That except for advance planning of projects (including market-based assessments of health care needs which may or may not lead to capital investments) funded through the advance planning fund and the design of projects funded through the design fund, none of these funds shall be used for any project which has not been considered and approved by the Congress in the budgetary process: *Provided further*, That funds provided in this appropriation for fiscal year 2001, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2001; and (2) by the awarding of a construction contract by September 30, 2002: *Provided further*, That the Secretary shall promptly report in writing to the Committees on Appropriations any approved major construction project in which obligations are not incurred within the time limitations established above: *Provided further*, That no funds from any other account except the "Parking revolving fund", may be obligated for constructing, altering, extending, or improving a project which was approved in the budget process and funded in this account until one year after substantial completion and beneficial occupancy by the Department of

Veterans Affairs of the project or any part thereof with respect to that part only.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is less than \$4,000,000, \$162,000,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is less than \$4,000,000: *Provided*, That funds in this account shall be available for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

PARKING REVOLVING FUND

For the parking revolving fund as authorized by 38 U.S.C. 8109, income from fees collected, to remain available until expended, which shall be available for all authorized expenses except operations and maintenance costs, which will be funded from "Medical care".

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by 38 U.S.C. 8131–8137, \$100,000,000, to remain available until expended.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by 38 U.S.C. 2408, \$25,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Any appropriation for fiscal year 2001 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred to any other of the mentioned appropriations.

SEC. 102. Appropriations available to the Department of Veterans Affairs for fiscal year 2001 for salaries and expenses shall be available for services authorized by 5 U.S.C. 3109.

SEC. 103. No appropriations in this Act for the Department of Veterans Affairs (except the appropriations for "Construction, major projects", "Construction, minor projects", and the "Parking revolving fund") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 104. No appropriations in this Act for the Department of Veterans Affairs shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless reimbursement of cost is made to the "Medical care" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 105. Appropriations available to the Department of Veterans Affairs for fiscal year 2001 for “Compensation and pensions”, “Readjustment benefits”, and “Veterans insurance and indemnities” shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2000.

SEC. 106. Appropriations accounts available to the Department of Veterans Affairs for fiscal year 2001 shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from title X of the Competitive Equality Banking Act, Public Law 100–86, except that if such obligations are from trust fund accounts they shall be payable from “Compensation and pensions”.

SEC. 107. Notwithstanding any other provision of law, during fiscal year 2001, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans’ Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the “General operating expenses” account for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2001, that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2001, which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 108. Notwithstanding any other provision of law, collections authorized by the Veterans Millennium Health Care and Benefits Act (Public Law 106–117) and credited to the appropriate Department of Veterans Affairs accounts in fiscal year 2001, shall not be available for obligation or expenditure unless appropriation language making such funds available is enacted.

SEC. 109. In accordance with section 1557 of title 31, United States Code, the following obligated balance shall be exempt from subchapter IV of chapter 15 of such title and shall remain available for expenditure until September 30, 2003: funds obligated by the Department of Veterans Affairs for a contract with the Institute for Clinical Research to study the application of artificial neural networks to the diagnosis and treatment of prostate cancer through the Cooperative DoD/VA Medical Research program from funds made available to the Department of Veterans Affairs by the Department of Defense Appropriations Act, 1995 (Public Law 103–335) under the heading “Research, Development, Test and Evaluation, Defense-Wide”.

SEC. 110. As HR LINK\$ will not be part of the Franchise Fund in fiscal year 2001, funds budgeted in customer accounts to purchase HR LINK\$ services from the Franchise Fund shall be transferred to the General Administration portion of the “General operating expenses” appropriation in the following amounts: \$78,000 from the “Office of Inspector General”, \$358,000 from the “National cemetery administration”, \$1,106,000 from “Medical care”, \$84,000 from “Medical administration and miscellaneous operating expenses”, and \$38,000 shall be reprogrammed within the “General operating expenses” appropriation from the Veterans Benefits Administration to General Administration for the same purpose.

SEC. 111. Not to exceed \$1,600,000 from the “Medical care” appropriation shall be transferred to the “General operating expenses” appropriation to fund personnel services costs of employees providing legal services and administrative support for the Office of General Counsel.

SEC. 112. Not to exceed \$1,200,000 may be transferred from the “Medical care” appropriation to the “General operating expenses” appropriation to fund contracts and services in support of the Veterans Benefits Administration’s Benefits Delivery Center, Systems Development Center, and Finance Center, located at the Department of Veterans Affairs Medical Center, Hines, Illinois.

SEC. 113. Not to exceed \$4,500,000 from the “Construction, minor projects” appropriation and not to exceed \$2,000,000 from the “Medical care” appropriation may be transferred to and merged with the Parking Revolving Fund for surface parking lot projects.

SEC. 114. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available in this Act for “Medical care” appropriations of the Department of Veterans Affairs may be obligated for the realignment of the health care delivery system in Veterans Integrated Service Network 12 (VISN 12) until 60 days after the Secretary of Veterans Affairs certifies that the Department has: (1) consulted with veterans organizations, medical school affiliates, employee representatives, State veterans and health associations, and other interested parties with respect to the realignment plan to be implemented; and (2) made available to the Congress and the public information from the consultations regarding possible impacts on the accessibility of veterans health care services to affected veterans.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(INCLUDING TRANSFERS OF FUNDS)

For activities and assistance to prevent the involuntary displacement of low-income families, the elderly and the disabled because of the loss of affordable housing stock, expiration of subsidy contracts (other than contracts for which amounts are provided under another heading in this Act) or expiration of use restrictions, or other changes in housing assistance arrangements, and for other purposes, \$13,940,907,000 and amounts that are recaptured in this account to remain available until expended: *Provided*, That of the total amount provided under this heading, \$12,972,000,000, of which \$8,772,000,000 shall be available on October 1, 2000 and \$4,200,000,000 shall be available on October 1, 2001, shall be for assistance under the United States Housing Act of 1937 (“the Act” herein) (42 U.S.C. 1437): *Provided further*, That the foregoing amounts shall be for use in connection with expiring or terminating section 8 subsidy contracts, for amendments to section 8 subsidy contracts, for enhanced vouchers (including amendments and renewals) under any provision of law authorizing such assistance under section 8(t) of the United States Housing Act of 1937 (47 U.S.C. 1437f(t)), contract administrators, and contracts entered into pursuant to section 441 of the Stewart B. McKinney Homeless Assistance Act: *Provided further*, That amounts available under the first proviso under this heading shall be available for section 8 rental assistance under the Act: (1) for the relocation and replacement of housing units that are demolished or disposed of pursuant to section 24 of the United States Housing Act of 1937 or to other authority for the revitalization of severely distressed public housing, as set forth in the Appropriations Acts for the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies for fiscal years 1993, 1994, 1995, and 1997, and in the Omnibus Consolidated Rescissions and Appropriations Act of 1996; (2) for the conversion of section 23 projects to assistance under section 8; (3) for funds to carry out the family unification program; (4) for the relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency; (5) for

tenant protection assistance, including replacement and relocation assistance; and (6) for the 1-year renewal of section 8 contracts for units in a project that is subject to an approved plan of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990: *Provided further*, That \$11,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided further*, That of the total amount provided under this heading, \$40,000,000 shall be made available to nonelderly disabled families affected by the designation of a public housing development under section 7 of the Act, the establishment of preferences in accordance with section 651 of the Housing and Community Development Act of 1992 (42 U.S.C. 1361l), or the restriction of occupancy to elderly families in accordance with section 658 of such Act, and to the extent the Secretary determines that such amount is not needed to fund applications for such affected families, to other nonelderly disabled families: *Provided further*, That of the total amount provided under this heading, \$452,907,000 shall be made available for incremental vouchers under section 8 of the United States Housing Act of 1937 on a fair share basis and administered by public housing agencies: *Provided further*, That of the total amount provided under this heading, up to \$7,000,000 shall be made available for the completion of the Jobs Plus Demonstration: *Provided further*, That amounts available under this heading may be made available for administrative fees and other expenses to cover the cost of administering rental assistance programs under section 8 of the United States Housing Act of 1937: *Provided further*, That the fee otherwise authorized under section 8(q) of such Act shall be determined in accordance with section 8(q), as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998: *Provided further*, That \$1,833,000,000 is rescinded from unobligated balances remaining from funds appropriated to the Department of Housing and Urban Development under this heading or the heading "Annual Contributions for Assisted Housing" or any other heading for fiscal year 2000 and prior years: *Provided further*, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall not be available for this rescission: *Provided further*, That the Secretary shall have until September 30, 2001, to meet the rescission in the proviso preceding the immediately preceding proviso: *Provided further*, That any obligated balances of contract authority that have been terminated shall be canceled.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437), \$3,000,000,000, to remain available until expended, of which up to \$50,000,000 shall be for carrying out activities under section 9(h) of such Act, for lease adjustments to section 23 projects and \$43,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided*, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937: *Provided further*, That of the total amount, up to \$75,000,000 shall be available for the Secretary of Housing and Urban Development to make grants to public housing agencies for emergency capital needs resulting from emergencies and natural disasters in fiscal year 2001.

PUBLIC HOUSING OPERATING FUND

For payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g), \$3,242,000,000, to remain available until expended: *Provided*, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937.

DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING

(INCLUDING TRANSFERS OF FUNDS)

For grants to public housing agencies and Indian tribes and their tribally designated housing entities for use in eliminating crime in public housing projects authorized by 42 U.S.C. 11901–11908, for grants for federally assisted low-income housing authorized by 42 U.S.C. 11909, and for drug information clearinghouse services authorized by 42 U.S.C. 11921–11925, \$310,000,000, to remain available until expended: *Provided*, That of the total amount provided under this heading, up to \$3,000,000 shall be solely for technical assistance, technical assistance grants, training, and program assessment for or on behalf of public housing agencies, resident organizations, and Indian tribes and their tribally designated housing entities (including up to \$150,000 for the cost of necessary travel for participants in such training) for oversight, training and improved management of this program, \$2,000,000 shall be available to the Boys and Girls Clubs of America for the operating and start-up costs of clubs located in or near, and primarily serving residents of, public housing and housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996, and \$10,000,000 shall be used in connection with efforts to combat violent crime in public and assisted housing under the Operation Safe Home Program administered by the Inspector General of the Department of Housing and Urban Development: *Provided further*, That of the amount under this heading, \$10,000,000 shall be provided to the Office of Inspector General for Operation Safe Home: *Provided further*, That of the amount under this heading, \$20,000,000 shall be available for the New Approach Anti-Drug program which will provide competitive grants to entities managing or operating public housing developments, federally assisted multifamily housing developments, or other multifamily housing developments for low-income families supported by non-Federal governmental entities or similar housing developments supported by nonprofit private sources in order to provide or augment security (including personnel costs), to assist in the investigation and/or prosecution of drug-related criminal activity in and around such developments, and to provide assistance for the development of capital improvements at such developments directly relating to the security of such developments: *Provided further*, That grants for the New Approach Anti-Drug program shall be made on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects as authorized by section 24 of the United States Housing Act of 1937, \$575,000,000 to remain available until expended, of which the Secretary may use up to \$10,000,000 for technical assistance and contract expertise, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the department and of public housing agencies and to residents: *Provided*, That none of such funds shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgments, unless expressly permitted herein.

NATIVE AMERICAN HOUSING BLOCK GRANTS
(INCLUDING TRANSFERS OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (Public Law 104-330), \$650,000,000, to remain available until expended, of which \$6,000,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of Indian housing and tenant-based assistance, including up to \$300,000 for related travel: *Provided*, That of the amount provided under this heading, \$6,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$54,600,000: *Provided further*, That for administrative expenses to carry out the guaranteed loan program, up to \$150,000 from amounts in the first proviso, which shall be transferred to and merged with the appropriation for “Salaries and expenses”, to be used only for the administrative costs of these guarantees: *Provided further*, That of the amount provided in this heading, \$2,000,000 shall be transferred to the Working Capital Fund for development and maintaining information technology systems.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (106 Stat. 3739), \$6,000,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$71,956,000.

In addition, for administrative expenses to carry out the guaranteed loan program, up to \$200,000 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for “Salaries and expenses”, to be used only for the administrative costs of these guarantees.

COMMUNITY PLANNING AND DEVELOPMENT
HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901), \$258,000,000, to remain available until expended: *Provided*, That the Secretary shall renew all expiring contracts that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section: *Provided further*, That the Secretary may use up to 1 percent of the funds under this heading for training, oversight, and technical assistance activities.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

For the Office of Rural Housing and Economic Development in the Department of Housing and Urban Development, \$25,000,000 to remain available until expended, which amount shall be awarded by June 1, 2001, to Indian tribes, State housing finance agencies, State community and/or economic development agencies, local rural nonprofits and community development corporations to sup-

port innovative housing and economic development activities in rural areas: *Provided*, That all grants shall be awarded on a competitive basis as specified in section 102 of the HUD Reform Act.

EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

For grants in connection with a second round of empowerment zones and enterprise communities, \$90,000,000, to remain available until expended: *Provided*, That \$75,000,000 shall be available for the Secretary of Housing and Urban Development for “Urban Empowerment Zones”, as authorized in the Taxpayer Relief Act of 1997, including \$5,000,000 for each empowerment zone for use in conjunction with economic development activities consistent with the strategic plan of each empowerment zone: *Provided further*, That \$15,000,000 shall be available to the Secretary of Agriculture for grants for designated empowerment zones in rural areas and for grants for designated rural enterprise communities.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, \$5,057,550,000: *Provided*, That of the amount provided, \$4,410,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the “Act” herein) (42 U.S.C. 5301), to remain available until September 30, 2003: *Provided further*, That \$71,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, \$3,000,000 shall be available as a grant to the Housing Assistance Council, \$2,600,000 shall be available as a grant to the National American Indian Housing Council, \$10,000,000 shall be available as a grant to the National Housing Development Corporation, for operating expenses not to exceed \$2,000,000 and for a program of affordable housing acquisition and rehabilitation, and \$45,500,000 shall be for grants pursuant to section 107 of the Act of which \$3,000,000 shall be made available to support Alaska Native serving institutions and native Hawaiian serving institutions, as defined under the Higher Education Act, as amended, and of which \$3,000,000 shall be made available to tribal colleges and universities to build, expand, renovate, and equip their facilities: *Provided further*, That not to exceed 20 percent of any grant made with funds appropriated herein (other than a grant made available in this paragraph to the Housing Assistance Council or the National American Indian Housing Council, or a grant using funds under section 107(b)(3) of the Housing and Community Development Act of 1974, as amended) shall be expended for “Planning and Management Development” and “Administration” as defined in regulations promulgated by the department: *Provided further*, That \$15,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided further*, That \$20,000,000 shall be for grants pursuant to the Self Help Housing Opportunity Program.

Of the amount made available under this heading, \$28,450,000 shall be made available for capacity building, of which \$25,000,000 shall be made available for “Capacity Building for Community Development and Affordable Housing”, for LIHC and the Enterprise Foundation for activities as authorized by section 4 of the HUD Demonstration Act of 1993 (Public Law 103–120), as in effect immediately before June 12, 1997, of which not less than \$5,000,000 of the funding shall be used in rural areas, including tribal areas, and of which \$3,450,000 shall be made available for capacity building activities administered by Habitat for Humanity International.

Of the amount made available under this heading, the Secretary of Housing and Urban Development may use up to \$55,000,000 for supportive services for public housing residents, as authorized by

section 34 of the United States Housing Act of 1937, as amended, and for residents of housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) and for grants for service coordinators and congregate services for the elderly and disabled residents of public and assisted housing and housing assisted under NAHASDA.

Of the amount made available under this heading, \$44,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives: *Provided*, that any unobligated balances of amounts set aside for neighborhood initiatives in fiscal years 1998, 1999, and 2000 may be utilized for any of the foregoing purposes: *Provided further*, That these grants shall be provided in accord with the terms and conditions specified in the statement of managers accompanying this conference report.

Of the amount made available under this heading, notwithstanding any other provision of law, \$60,000,000 shall be available for YouthBuild program activities authorized by subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible activity with respect to any funds made available under this heading: *Provided*, That local YouthBuild programs that demonstrate an ability to leverage private and nonprofit funding shall be given a priority for YouthBuild funding: *Provided further*, That no more than ten percent of any grant award may be used for administrative costs: *Provided further*, That not less than \$10,000,000 shall be available for grants to establish YouthBuild programs in underserved and rural areas: *Provided further*, That of the amount provided under this paragraph, \$4,000,000 shall be set aside and made available for a grant to Youthbuild USA for capacity building for community development and affordable housing activities as specified in section 4 of the HUD Demonstration Act of 1993, as amended.

Of the amounts made available under this heading, \$2,000,000 shall be available to the Utah Housing Finance Agency for the temporary use of relocatable housing during the 2002 Winter Olympic Games provided such housing is targeted to the housing needs of low-income families after the Games.

Of the amount made available under this heading, \$292,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments in accordance with the terms and conditions specified in the statement of managers accompanying this conference report.

For the cost of guaranteed loans, \$29,000,000, as authorized by section 108 of the Housing and Community Development Act of 1974: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$1,261,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974: *Provided further*, That in addition, for administrative expenses to carry out the guaranteed loan program, \$1,000,000, which shall be transferred to and merged with the appropriation for "Salaries and expenses".

BROWNFIELDS REDEVELOPMENT

For Economic Development Grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, for Brownfields redevelopment projects, \$25,000,000, to remain available until expended: *Provided*, That the Secretary of Housing and Urban Development shall make these grants available

on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, \$1,800,000,000 to remain available until expended: *Provided*, That up to \$20,000,000 of these funds shall be available for Housing Counseling under section 106 of the Housing and Urban Development Act of 1968: *Provided further*, That \$17,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program (as authorized under subtitle B of title IV of the Stewart B. McKinney Homeless Assistance Act, as amended); the supportive housing program (as authorized under subtitle C of title IV of such Act); the section 8 moderate rehabilitation single room occupancy program (as authorized under the United States Housing Act of 1937, as amended) to assist homeless individuals pursuant to section 441 of the Stewart B. McKinney Homeless Assistance Act; and the shelter plus care program (as authorized under subtitle F of title IV of such Act), \$1,025,000,000, to remain available until expended: *Provided*, That not less than 30 percent of these funds shall be used for permanent housing, and all funding for services must be matched by 25 percent in funding by each grantee: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further*, That up to 1.5 percent of the funds appropriated under this heading is transferred to the Working Capital Fund to be used for technical assistance for management information systems and to develop an automated, client-level Annual Performance Report System: *Provided further*, That \$500,000 shall be made available to the Interagency Council on the Homeless for administrative needs.

SHELTER PLUS CARE RENEWALS

For the renewal on an annual basis of contracts expiring during fiscal years 2001 and 2002 under the Shelter Plus Care program, as authorized under subtitle F of title IV of the Stewart B. McKinney Homeless Assistance Act, as amended, \$100,000,000, to remain available until expended: *Provided*, That each Shelter Plus Care project with an expiring contract shall be eligible for renewal only if the project is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary.

HOUSING PROGRAMS

HOUSING FOR SPECIAL POPULATIONS

(INCLUDING TRANSFER OF FUNDS)

For assistance for the purchase, construction, acquisition, or development of additional public and subsidized housing units for low income families not otherwise provided for, \$996,000,000, to remain

available until expended: *Provided*, That \$779,000,000 shall be for capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance, and amendments to contracts for project rental assistance, for the elderly under such section 202(c)(2), and for supportive services associated with the housing, of which amount \$50,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects and of which amount \$50,000,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q-2) for conversion of eligible projects under such section to assisted living or related use: *Provided further*, That of the amount under this heading, \$217,000,000 shall be for capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance, for amendments to contracts for project rental assistance, and supportive services associated with the housing for persons with disabilities as authorized by section 811 of such Act: *Provided further*, That \$1,000,000, to be divided evenly between the appropriations for the section 202 and section 811 programs, shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided further*, That the Secretary may designate up to 25 percent of the amounts earmarked under this paragraph for section 811 of such Act for tenant-based assistance, as authorized under that section, including such authority as may be waived under the next proviso, which assistance is 5 years in duration: *Provided further*, That the Secretary may waive any provision of such section 202 and such section 811 (including the provisions governing the terms and conditions of project rental assistance and tenant-based assistance) that the Secretary determines is not necessary to achieve the objectives of these programs, or that otherwise impedes the ability to develop, operate, or administer projects assisted under these programs, and may make provision for alternative conditions or terms where appropriate.

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2000, and any collections made during fiscal year 2001, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.

FEDERAL HOUSING ADMINISTRATION

FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2001, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of \$160,000,000,000.

During fiscal year 2001, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$250,000,000: *Provided*, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, \$330,888,000, of which not to exceed \$324,866,000 shall be transferred to the appropriation for "Salaries and expenses"; and not to exceed \$4,022,000 shall be transferred to

the appropriation for "Office of Inspector General". In addition, for administrative contract expenses, \$160,000,000, of which \$96,500,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided*, That to the extent guaranteed loan commitments exceed \$65,500,000,000 on or before April 1, 2001 an additional \$1,400 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$16,000,000.

FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), including the cost of loan guarantee modifications (as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended), \$101,000,000, to remain available until expended: *Provided*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, of up to \$21,000,000,000: *Provided further*, That any amounts made available in any prior appropriations Act for the cost (as such term is defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans that are obligations of the funds established under section 238 or 519 of the National Housing Act that have not been obligated or that are deobligated shall be available to the Secretary of Housing and Urban Development in connection with the making of such guarantees and shall remain available until expended, notwithstanding the expiration of any period of availability otherwise applicable to such amounts.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed \$50,000,000; of which not to exceed \$30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed \$20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, \$211,455,000, of which \$193,134,000, shall be transferred to the appropriation for "Salaries and expenses"; and of which \$18,321,000 shall be transferred to the appropriation for "Office of Inspector General". In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, \$144,000,000, of which \$33,500,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided*, That to the extent guaranteed loan commitments exceed \$8,426,000,000 on or before April 1, 2001, an additional \$19,800,000 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments over \$8,426,000,000 (including a pro rata amount for any increment below \$1,000,000), but in no case shall funds made available by this proviso exceed \$14,400,000.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE
PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C.

1721(g)), shall not exceed \$200,000,000,000, to remain available until September 30, 2002.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, \$9,383,000 to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed \$9,383,000 shall be transferred to the appropriation for "Salaries and expenses".

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, \$53,500,000, to remain available until September 30, 2002: *Provided*, That of the amount provided under this heading, \$10,000,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative: *Provided further*, That \$3,000,000 shall be for program evaluation to support strategic planning, performance measurement, and their coordination with the Department's budget process: *Provided further*, That \$500,000, to remain available until expended, shall be for a commission as established under section 525 of Preserving Affordable Housing for Senior Citizens and Families into the 21st Century Act.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$46,000,000, to remain available until September 30, 2002, of which \$24,000,000 shall be to carry out activities pursuant to such section 561: *Provided*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by sections 1011 and 1053 of the Residential Lead-Based Hazard Reduction Act of 1992, \$100,000,000 to remain available until expended, of which \$1,000,000 shall be for CLEARCorps and \$10,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related environmental diseases and hazards.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including not to exceed \$7,000 for official reception and representation expenses, \$1,072,000,000, of which \$518,000,000 shall be provided from the various funds of the Fed-

eral Housing Administration, \$9,383,000 shall be provided from funds of the Government National Mortgage Association, \$1,000,000 shall be provided from the "Community development fund" account, \$150,000 shall be provided by transfer from the "Title VI Indian federal guarantees program" account, and \$200,000 shall be provided by transfer from the "Indian housing loan guarantee fund program" account: *Provided*, That the Secretary is prohibited from using any funds under this heading or any other heading in this Act from employing more than 77 schedule C and 20 noncareer Senior Executive Service employees: *Provided further*, That not more than \$758,000,000 shall be made available to the personal services object class: *Provided further*, That no less than \$100,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of Information Technology Systems: *Provided further*, That the Secretary shall fill 7 out of 10 vacancies at the GS-14 and GS-15 levels until the total number of GS-14 and GS-15 positions in the Department has been reduced from the number of GS-14 and GS-15 positions on the date of enactment of this provision by two and one-half percent: *Provided further*, That the Secretary shall submit a staffing plan for the Department by May 15, 2001: *Provided further*, That the Secretary is prohibited from using funds under this heading or any other heading in this Act to employ more than 14 employees in the Office of Public Affairs or in any position in the Department where the employee reports to an employee of the Office of Public Affairs.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$85,000,000, of which \$22,343,000 shall be provided from the various funds of the Federal Housing Administration and \$10,000,000 shall be provided from the amount earmarked for Operation Safe Home in the appropriation for "Drug elimination grants for low-income housing": *Provided*, That the Inspector General shall have independent authority over all personnel issues within the Office of Inspector General.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprise Financial Safety and Soundness Act of 1992, including not to exceed \$500 for official reception and representation expenses, \$22,000,000, to remain available until expended, to be derived from the Federal Housing Enterprise Oversight Fund: *Provided*, That not to exceed such amount shall be available from the General Fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: *Provided further*, That the General Fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the General Fund estimated at not more than \$0.

ADMINISTRATIVE PROVISIONS

FINANCING ADJUSTMENT FACTORS

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (Public Law 100-628; 102 Stat. 3224, 3268) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or

local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

FAIR HOUSING AND FREE SPEECH

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2001 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS GRANTS

SEC. 203. (a) ELIGIBILITY.—Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2001 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2001 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2001 do not have the number of cases of acquired immunodeficiency syndrome required under such clause.

(b) AMOUNT.—The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2001, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

(c) ENVIRONMENTAL REVIEW.—Section 856 of the Act is amended by adding the following new subsection at the end:

“(h) ENVIRONMENTAL REVIEW.—For purposes of environmental review, a grant under this subtitle shall be treated as assistance for a special project that is subject to section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994, and shall be subject to the regulations issued by the Secretary to implement such section.”.

ENHANCED DISPOSITION AUTHORITY

SEC. 204. Section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997, is amended by striking “and 2000” and inserting “2000, and thereafter”.

MAXIMUM PAYMENT STANDARD FOR ENHANCED VOUCHERS

SEC. 205. Section 8(t)(1)(B) of the United States Housing Act of 1937 is amended by inserting “and any other reasonable limit prescribed by the Secretary” immediately before the semicolon.

DUE PROCESS FOR HOMELESS ASSISTANCE

SEC. 206. None of the funds appropriated under this or any other Act may be used by the Secretary of Housing and Urban Development to prohibit or debar or in any way diminish the responsibilities of any entity (and the individuals comprising that entity) that

is responsible for convening and managing a continuum of care process (convenor) in a community for purposes of the Stewart B. McKinney Homeless Assistance Act from participating in that capacity unless the Secretary has published in the Federal Register a description of all circumstances that would be grounds for prohibiting or debarring a convenor from administering a continuum of care process and the procedures for a prohibition or debarment: *Provided*, That these procedures shall include a requirement that a convenor shall be provided with timely notice of a proposed prohibition or debarment, an identification of the circumstances that could result in the prohibition or debarment, an opportunity to respond to or remedy these circumstances, and the right for judicial review of any decision of the Secretary that results in a prohibition or debarment.

HUD REFORM ACT COMPLIANCE

SEC. 207. Except as explicitly provided in legislation, any grant or assistance made pursuant to Title II of this Act shall be made in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 on a competitive basis.

EXPANSION OF ENVIRONMENTAL ASSUMPTION AUTHORITY FOR HOMELESS ASSISTANCE PROGRAMS

SEC. 208. Section 443 of the Stewart B. McKinney Homeless Assistance Act is amended to read as follows:

“SEC. 443. ENVIRONMENTAL REVIEW.

“For purposes of environmental review, assistance and projects under this title shall be treated as assistance for special projects that are subject to section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994, and shall be subject to the regulations issued by the Secretary to implement such section.”.

TECHNICAL AMENDMENTS AND CORRECTIONS TO THE NATIONAL HOUSING ACT

SEC. 209. (a) SECTION 203 SUBSECTION DESIGNATIONS.—Section 203 of the National Housing Act is amended by—

- (1) redesignating subsection (t) as subsection (u);
- (2) redesignating subsection (s), as added by section 329 of the Cranston-Gonzalez National Affordable Housing Act, as subsection (t); and
- (3) redesignating subsection (v), as added by section 504 of the Housing and Community Development Act of 1992, as subsection (w).

(b) MORTGAGE AUCTIONS.—The first sentence of section 221(g)(4)(C)(viii) of the National Housing Act is amended by inserting after “December 31, 2002” the following: “, except that this subparagraph shall continue to apply if the Secretary receives a mortgagee’s written notice of intent to assign its mortgage to the Secretary on or before such date”.

(c) MORTGAGEE REVIEW BOARD.—Section 202(c)(2) of the National Housing Act is amended—

- (1) in subparagraph (E), by striking “and”;
- (2) in subparagraph (F), by striking “or their designees.” and inserting “and”;
- (3) by adding the following new subparagraph at the end:

“(G) the Director of the Enforcement Center; or their designees.”.

INDIAN HOUSING BLOCK GRANT PROGRAM

SEC. 210. Section 201(b) of the Native American Housing Assistance and Self-Determination Act of 1996 is amended—

- (1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6) respectively; and
- (2) by inserting after paragraph (3) the following new paragraph:

“(4) LAW ENFORCEMENT OFFICERS.—Notwithstanding paragraph (1), a recipient may provide housing or housing assistance provided through affordable housing activities assisted with grant amounts under this Act to a law enforcement officer on the reservation or other Indian area, who is employed full-time by a Federal, state, county or tribal government, and in implementing such full-time employment is sworn to uphold, and make arrests for violations of Federal, state, county or tribal law, if the recipient determines that the presence of the law enforcement officer on the Indian reservation or other Indian area may deter crime.”.

PROHIBITION ON THE USE OF FEDERAL ASSISTANCE IN SUPPORT OF
THE SALE OF TOBACCO PRODUCTS

SEC. 211. None of the funds appropriated in this or any other Act may be used by the Secretary of Housing and Urban Development to provide any grant or other assistance to construct, operate, or otherwise benefit a facility, or facility with a designated portion of that facility, which sells, or intends to sell, predominantly cigarettes or other tobacco products. For the purposes of this provision, predominant sale of cigarettes or other tobacco products means cigarette or tobacco sales representing more than 35 percent of the annual total in-store, non-fuel, sales.

PROHIBITION ON IMPLEMENTATION OF PUERTO RICO PUBLIC HOUSING
ADMINISTRATION SETTLEMENT AGREEMENT

SEC. 212. No funds may be used to implement the agreement between the Commonwealth of Puerto Rico, the Puerto Rico Public Housing Administration, and the Department of Housing and Urban Development, dated June 7, 2000, related to the allocation of operating subsidies for the Puerto Rico Public Housing Administration unless the Puerto Rico Public Housing Administration and the Department of Housing and Urban Development submit by December 31, 2000 a schedule of benchmarks and measurable goals to the House and Senate Committees on Appropriations designed to address issues of mismanagement and safeguards against fraud and abuse.

HOPE VI GRANT FOR HOLLANDER RIDGE

SEC. 213. The Housing Authority of Baltimore City may use the grant award of \$20,000,000 made to such authority for development efforts at Hollander Ridge in Baltimore, Maryland with funds appropriated for fiscal year 1996 under the heading “Public Housing Demolition, Site Revitalization, and Replacement Housing Grants” for use, as approved by the Secretary of Housing and Urban Development—

- (1) for activities related to the revitalization of the Hollander Ridge site; and
- (2) in accordance with section 24 of the United States Housing Act of 1937.

COMPUTER ACCESS FOR PUBLIC HOUSING RESIDENTS

SEC. 214. (a) USE OF PUBLIC HOUSING CAPITAL AND OPERATING FUNDS.—Section 9 of the United States Housing Act of 1937 is amended—

- (1) in subsection (d)(1)(E), by inserting before the semicolon the following: “, including the establishment and initial operation of computer centers in and around public housing through a Neighborhood Networks initiative, for the purpose of enhancing the self-sufficiency, employability, and economic self-reliance of public housing residents by providing them with onsite computer access and training resources”;
- (2) in subsection (e)(1)—
 - (A) in subparagraph (I), by striking the word “and” at the end;

(B) in subparagraph (J), by striking the period and inserting “; and”; and

(C) by adding after subparagraph (J) the following:

“(K) the costs of operating computer centers in public housing through a Neighborhood Networks initiative described in subsection (d)(1)(E), and of activities related to that initiative.”; and

(3) in subsection (h)—

(A) in paragraph (6), by striking the word “and” at the end;

(B) in paragraph (7), by striking the period and inserting “; and”; and

(C) by inserting after paragraph (7) the following:

“(8) assistance in connection with the establishment and operation of computer centers in public housing through a Neighborhood Networks initiative described in subsection (d)(1)(E).”.

(b) DEMOLITION, SITE REVITALIZATION, REPLACEMENT HOUSING, AND TENANT-BASED ASSISTANCE GRANTS FOR PROJECTS.—Section 24 of the United States Housing Act of 1937 is amended—

(1) in subsection (d)(1)(G), by inserting before the semicolon the following: “, including a Neighborhood Networks initiative for the establishment and operation of computer centers in public housing for the purpose of enhancing the self-sufficiency, employability, an economic self-reliance of public housing residents by providing them with onsite computer access and training resources”; and

(2) in subsection (m)(2), in the first sentence, by inserting before the period the following “, including assistance in connection with the establishment and operation of computer centers in public housing through the Neighborhoods Networks initiative described in subsection (d)(1)(G)”.

MARK-TO-MARKET REFORM

SEC. 215. Notwithstanding any other provision of law, the properties known as the Hawthornes in Independence, Missouri shall be considered eligible multifamily housing projects for purposes of participating in the multifamily housing restructuring program pursuant to title V of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1998 (Public Law 105–65).

SECTION 236 EXCESS INCOME

SEC. 216. Section 236(g)(3)(A) of the National Housing Act is amended by striking out “fiscal year 2000” and inserting in lieu thereof “fiscal years 2000 and 2001”.

CDBG ELIGIBILITY

SEC. 217. Section 102(a)(6)(D) of the Housing and Community Development Act of 1974 is amended by—

(1) in clause (v), striking out the “or” at the end;

(2) in clause (vi), striking the period at the end; and

(3) adding at the end the following new clause:

“(vii)(I) has consolidated its government with one or more municipal governments, such that within the county boundaries there are no unincorporated areas, (II) has a population of not less than 650,000, over which the consolidated government has the authority to undertake essential community development and housing assistance activities, (III) for more than 10 years, has been classified as an entitlement area for purposes of allocating and distributing funds under section 106, and (IV) as of the date of enactment of this clause, has over 90 percent of the county’s population within the jurisdiction of the consolidated government; or

“(viii) notwithstanding any other provision of this section, any county that was classified as an urban county pursuant to subparagraph (A) for fiscal year 1999, at the option of the county, may

hereafter remain classified as an urban county for purposes of this Act.”.

EXEMPTION FOR ALASKA AND MISSISSIPPI FROM REQUIREMENT OF
RESIDENT ON BOARD OF PHA

SEC. 218. Public housing agencies in the States of Alaska and Mississippi shall not be required to comply with section 2(b) of the United States Housing Act of 1937, as amended, during fiscal year 2001.

USE OF MODERATE REHABILITATION FUNDS FOR HOME

SEC. 219. Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall make the funds available under contracts NY36K113004 and NY36K113005 of the Department of Housing and Urban Development available for use under the HOME Investment Partnerships Act and shall allocate such funds to the City of New Rochelle, New York.

LOMA LINDA REPROGRAMMING

SEC. 220. Of the amounts made available under the sixth undesignated paragraph under the heading “Community Planning and Development—Community Development Block Grants” in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Public Law 105–276) for the Economic Development Initiative (EDI) for grants for targeted economic investments, the \$1,000,000 to be made available (pursuant to the related provisions of the joint explanatory statement in the conference report to accompany such Act (House Report 105–769)) to the City of Loma Linda, California, for infrastructure improvements at Redlands Boulevard and California Streets shall, notwithstanding such provisions, be made available to the City for infrastructure improvements related to the Mountain View Bridge.

NATIVE AMERICAN ELIGIBILITY FOR THE ROSS PROGRAM

SEC. 221. (a) Section 34 of the United States Housing Act of 1937 is amended—

(1) in the heading, by striking “PUBLIC HOUSING” and inserting “PUBLIC AND INDIAN HOUSING”;

(2) in subsection (a)—

(A) by inserting after “residents,” the following: “recipients under the Native American Housing Assistance and Self-Determination Act of 1996 (notwithstanding section 502 of such Act) on behalf of residents of housing assisted under such Act,” and

(B) by inserting after “public housing residents” the second place it appears the following: “and residents of housing assisted under such Act”,

(3) in subsection (b)—

(A) by inserting after “project” the first place it appears the following: “or the property of a recipient under such Act or housing assisted under such Act”;

(B) by inserting after “public housing residents” the following: “or residents of housing assisted under such Act”; and

(C) in subsection (b)(1), by inserting after “public housing project” the following: “or residents of housing assisted under such Act”; and

(4) in subsection (d)(2), by striking “State or local” and inserting “State, local, or tribal”.

(b) ASSESSMENT AND REPORT.—Section 538(b)(1) of the Quality Housing and Work Responsibility Act of 1998 is amended by inserting after “public housing” the following: “and housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996”.

TREATMENT OF EXPIRING ECONOMIC DEVELOPMENT INITIATIVE
GRANTS

SEC. 222. (a) AVAILABILITY.—Section 220(a) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106–74; 113 Stat. 1075) is amended by striking “September 30, 2000” and inserting “September 30, 2001”.

(b) APPLICABILITY.—The Secretary of the Treasury and the Secretary of Housing and Urban Development shall take such actions as may be necessary to carry out such section 220 (as amended by this subsection (a) of this section) notwithstanding any actions taken previously pursuant to section 1552 of title 31, United States Code.

HOME PROGRAM DISASTER FUNDING FOR ELDERLY HOUSING

SEC. 223. Of the amounts made available under Chapter IX of the Supplemental Appropriations Act of 1993 for assistance under the HOME investment partnerships program to the city of Homestead, Florida (Public Law 103–50; 107 Stat. 262), up to \$583,926.70 shall be made available to Dade County, Florida, for use only for rehabilitating housing for low-income elderly persons, and such amount shall not be subject to the requirements of such program, except for section 288 of the HOME Investment Partnerships Act (42 U.S.C. 12838).

CDBG PUBLIC SERVICES CAP

SEC. 224. Section 105(a)(8) of the Housing and Community Development Act of 1974 is amended by striking “1993” and all that follows through “City of Los Angeles” and inserting “1993 through 2001 to the City of Los Angeles”.

EXTENSION OF APPLICABILITY OF DOWNPAYMENT SIMPLIFICATION
PROVISIONS

SEC. 225. Subparagraph (A) of section 203(b)(10) of the National Housing Act (12 U.S.C. 1709(b)(10)(A)) is amended, in the matter that precedes clause (i), by striking “mortgage” and all that follows through “involving” and inserting “mortgage closed on or before December 31, 2002, involving”.

USE OF SUPPORTIVE HOUSING PROGRAM FUNDS FOR INFORMATION
SYSTEMS

SEC. 226. Section 423 of the Stewart B. McKinney Homeless Assistance Act is amended under subsection (a) by adding the following paragraph:

“(7) MANAGEMENT INFORMATION SYSTEM.—A grant for the costs of implementing and operating management information systems for purposes of collecting unduplicated counts of homeless people and analyzing patterns of use of assistance funded under this Act.”.

INDIAN HOUSING LOAN GUARANTEE REFORM

SEC. 227. Section 184 of the Housing and Community Development Act of 1992 is amended—

- (1) in subsection (a), by striking “or as a result of a lack of access to private financial markets”; and
- (2) in subsection (b)(2), by inserting “refinance,” after “acquire,”.

USE OF SECTION 8 VOUCHERS FOR OPT-OUTS

SEC. 228. Section 8(t)(2) of the United States Housing Act of 1937 is amended by inserting after “contract for rental assistance under section 8 of the United States Housing Act of 1937 for such housing project” the following: “(including any such termination or expiration during fiscal years after fiscal year 1996 prior to the ef-

fective date of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001”.

HOMELESS DISCHARGE COORDINATION POLICY

SEC. 229. (a) DISCHARGE COORDINATION POLICY.—Subtitle A of title IV of the Stewart B. McKinney Homeless Assistance Act is amended by adding at the end the following new section:

“SEC. 402. DISCHARGE COORDINATION POLICY.

“The Secretary may not provide a grant under this title for any governmental entity serving as an applicant unless the applicant agrees to develop and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons.”.

(b) ASSISTANCE UNDER EMERGENCY SHELTER GRANTS PROGRAM.—Section 414(a)(4) of the Stewart B. McKinney Homeless Assistance Act is amended—

(1) in the matter preceding subparagraph (A), by inserting a comma after “homelessness”;

(2) by striking “Not” and inserting the following: “Activities that are eligible for assistance under this paragraph shall include assistance to very low-income families who are discharged from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions). Not”.

TECHNICAL CHANGE TO SENIORS HOUSING COMMISSION

SEC. 230. Section 525 of the Preserving Affordable Housing for Senior Citizens and Families into the 21st Century Act” (42 U.S.C. 12701 note) is amended in subsection (a) by striking “Commission on Affordable Housing and Health Care Facility Needs in the 21st Century” and inserting “Commission on Affordable Housing and Health Facility Needs for Seniors in the 21st Century”.

INTERAGENCY COUNCIL ON THE HOMELESS REFORMS

SEC. 231. Title II of the Stewart B. McKinney Homeless Assistance Act is amended—

(1) in section 202, under subsection (b) by inserting after the period the following: “The positions of Chairperson and Vice Chairperson shall rotate among its members on an annual basis.”; and

(2) in section 209 by striking “1994” and inserting “2005”.

SECTION 8 PHA PROJECT-BASED ASSISTANCE

SEC. 232. (a) IN GENERAL.—Paragraph (13) of section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)) is amended to read as follows:

“(13) PHA PROJECT-BASED ASSISTANCE.—

“(A) IN GENERAL.—A public housing agency may use amounts provided under an annual contributions contract under this subsection to enter into a housing assistance payment contract with respect to an existing, newly constructed, or rehabilitated structure, that is attached to the structure, subject to the limitations and requirements of this paragraph.

“(B) PERCENTAGE LIMITATION.—Not more than 20 percent of the funding available for tenant-based assistance under this section that is administered by the agency may be attached to structures pursuant to this paragraph.

“(C) CONSISTENCY WITH PHA PLAN AND OTHER GOALS.—A public housing agency may approve a housing assistance

payment contract pursuant to this paragraph only if the contract is consistent with—

“(i) the public housing agency plan for the agency approved under section 5A; and

“(ii) the goal of deconcentrating poverty and expanding housing and economic opportunities.

“(D) INCOME MIXING REQUIREMENT.—

“(i) IN GENERAL.—Not more than 25 percent of the dwelling units in any building may be assisted under a housing assistance payment contract for project-based assistance pursuant to this paragraph.

“(ii) EXCEPTIONS.—The limitation under clause (i) shall not apply in the case of assistance under a contract for housing consisting of single family properties or for dwelling units that are specifically made available for households comprised of elderly families, disabled families, and families receiving supportive services.

“(E) RESIDENT CHOICE REQUIREMENT.—A housing assistance payment contract pursuant to this paragraph shall provide as follows:

“(i) MOBILITY.—Each low-income family occupying a dwelling unit assisted under the contract may move from the housing at any time after the family has occupied the dwelling unit for 12 months.

“(ii) CONTINUED ASSISTANCE.—Upon such a move, the public housing agency shall provide the low-income family with tenant-based rental assistance under this section or such other tenant-based rental assistance that is subject to comparable income, assistance, rent contribution, affordability, and other requirements, as the Secretary shall provide by regulation. If such rental assistance is not immediately available to fulfill the requirement under the preceding sentence with respect to a low-income family, such requirement may be met by providing the family priority to receive the next voucher or other tenant-based rental assistance amounts that become available under the program used to fulfill such requirement.

“(F) CONTRACT TERM.—A housing assistance payment contract pursuant to this paragraph between a public housing agency and the owner of a structure may have a term of up to 10 years, subject to the availability of sufficient appropriated funds for the purpose of renewing expiring contracts for assistance payments, as provided in appropriations Acts and in the agency’s annual contributions contract with the Secretary, and to annual compliance with the inspection requirements under paragraph (8), except that the agency shall not be required to make annual inspections of each assisted unit in the development. The contract may specify additional conditions for its continuation. If the units covered by the contract are owned by the agency, the term of the contract shall be agreed upon by the agency and the unit of general local government or other entity approved by the Secretary in the manner provided under paragraph (11).

“(G) EXTENSION OF CONTRACT TERM.—A public housing agency may enter into a contract with the owner of a structure assisted under a housing assistance payment contract pursuant to this paragraph to extend the term of the underlying housing assistance payment contract for such period as the agency determines to be appropriate to achieve long-term affordability of the housing or to expand housing opportunities. Such a contract shall provide that the extension of such term shall be contingent upon the future availability of appropriated funds for the purpose of

renewing expiring contracts for assistance payments, as provided in appropriations Acts, and may obligate the owner to have such extensions of the underlying housing assistance payment contract accepted by the owner and the successors in interest of the owner.

“(H) RENT CALCULATION.—A housing assistance payment contract pursuant to this paragraph shall establish rents for each unit assisted in an amount that does not exceed 110 percent of the applicable fair market rental (or any exception payment standard approved by the Secretary pursuant to paragraph (1)(D)), except that if a contract covers a dwelling unit that has been allocated low-income housing tax credits pursuant to section 42 of the Internal Revenue Code of 1986 (26 U.S.C. 42) and is not located in a qualified census tract (as such term is defined in subsection (d) of such section 42), the rent for such unit may be established at any level that does not exceed the rent charged for comparable units in the building that also receive the low-income housing tax credit but do not have additional rental assistance. The rents established by housing assistance payment contracts pursuant to this paragraph may vary from the payment standards established by the public housing agency pursuant to paragraph (1)(B), but shall be subject to paragraph (10)(A).

“(I) RENT ADJUSTMENTS.—A housing assistance payments contract pursuant to this paragraph shall provide for rent adjustments, except that—

“(i) the adjusted rent for any unit assisted shall be reasonable in comparison with rents charged for comparable dwelling units in the private, unassisted, local market and may not exceed the maximum rent permitted under subparagraph (H); and

“(ii) the provisions of subsection (c)(2)(C) shall not apply.

“(J) TENANT SELECTION.—A public housing agency shall select families to receive project-based assistance pursuant to this paragraph from its waiting list for assistance under this subsection. Eligibility for such project-based assistance shall be subject to the provisions of section 16(b) that apply to tenant-based assistance. The agency may establish preferences or criteria for selection for a unit assisted under this paragraph that are consistent with the public housing agency plan for the agency approved under section 5A. Any family that rejects an offer of project-based assistance under this paragraph or that is rejected for admission to a structure by the owner or manager of a structure assisted under this paragraph shall retain its place on the waiting list as if the offer had not been made. The owner or manager of a structure assisted under this paragraph shall not admit any family to a dwelling unit assisted under a contract pursuant to this paragraph other than a family referred by the public housing agency from its waiting list. Subject to its waiting list policies and selection preferences, a public housing agency may place on its waiting list a family referred by the owner or manager of a structure and may maintain a separate waiting list for assistance under this paragraph, but only if all families on the agency’s waiting list for assistance under this subsection are permitted to place their names on the separate list.

“(K) VACATED UNITS.—Notwithstanding paragraph (9), a housing assistance payment contract pursuant to this paragraph may provide as follows:

“(i) PAYMENT FOR VACANT UNITS.—That the public housing agency may, in its discretion, continue to provide assistance under the contract, for a reasonable

period not exceeding 60 days, for a dwelling unit that becomes vacant, but only (I) if the vacancy was not the fault of the owner of the dwelling unit, and (II) the agency and the owner take every reasonable action to minimize the likelihood and extent of any such vacancy. Rental assistance may not be provided for a vacant unit after the expiration of such period.

“(ii) REDUCTION OF CONTRACT.—That, if despite reasonable efforts of the agency and the owner to fill a vacant unit, no eligible family has agreed to rent the unit within 120 days after the owner has notified the agency of the vacancy, the agency may reduce its housing assistance payments contract with the owner by the amount equivalent to the remaining months of subsidy attributable to the vacant unit. Amounts deobligated pursuant to such a contract provision shall be available to the agency to provide assistance under this subsection.

Eligible applicants for assistance under this subsection may enforce provisions authorized by this subparagraph.”.

(b) APPLICABILITY.—In the case of any dwelling unit that, upon the date of the enactment of this Act, is assisted under a housing assistance payment contract under section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(13)) as in effect before such enactment, such assistance may be extended or renewed notwithstanding the requirements under subparagraphs (C), (D), and (E) of such section 8(o)(13), as amended by subsection (a).

DISPOSITION OF HUD-HELD AND HUD-OWNED MULTIFAMILY PROJECTS FOR THE ELDERLY OR DISABLED

SEC. 233. Notwithstanding any other provision of law, in managing and disposing of any multifamily property that is owned or held by the Secretary and is occupied primarily by elderly or disabled families, the Secretary of Housing and Urban Development shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 that are attached to any dwelling units in the property. To the extent the Secretary determines that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties or provide other rental assistance.

FAMILY UNIFICATION PROGRAM

SEC. 234. Section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)(2)) is amended—

(1) by striking “any family (A) who is otherwise eligible for such assistance, and (B)” and inserting “(A) any family (i) who is otherwise eligible for such assistance, and (ii)”; and

(2) by inserting before the period at the end the following: “and (B) for a period not to exceed 18 months, otherwise eligible youths who have attained at least 18 years of age and not more than 21 years of age and who have left foster care at age 16 or older”.

PERMANENT EXTENSION OF FHA MULTIFAMILY MORTGAGE CREDIT DEMONSTRATIONS

SEC. 235. Section 542 of the Housing and Community Development Act of 1992 (12 U.S.C. 1707 note) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “demonstrate the effectiveness of providing” and inserting “provide”; and

(B) in the second sentence, by striking “demonstration” and inserting “the”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “determine the effectiveness of” and inserting “provide”; and

(B) by striking paragraph (5), and inserting the following new paragraph:

“(5) INSURANCE AUTHORITY.—Using any authority provided in appropriation Acts to insure mortgages under the National Housing Act, the Secretary may enter into commitments under this subsection for risk-sharing units.”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “test the effectiveness of” and inserting “provide”; and

(B) by striking paragraph (4) and inserting the following new paragraph:

“(4) INSURANCE AUTHORITY.—Using any authority provided in appropriation Acts to insure mortgages under the National Housing Act, the Secretary may enter into commitments under this subsection for risk-sharing units.”;

(4) by striking subsection (d);

(5) by striking “pilot” and “PILOT” each place such terms appear; and

(6) in the section heading, by striking “demonstrations” and inserting “programs”.

TITLE III—INDEPENDENT AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$28,000,000, to remain available until expended.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, and for services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, \$7,500,000, \$5,000,000 of which to remain available until September 30, 2001 and \$2,500,000 of which to remain available until September 30, 2002: *Provided*, That the Chemical Safety and Hazard Investigation Board shall have not more than three career Senior Executive Service positions: *Provided further*, That there shall be an Inspector General at the Board who shall have the duties, responsibilities, and authorities specified in the Inspector General Act of 1978, as amended: *Provided further*, That an individual appointed to the position of Inspector General of the Federal Emergency Management Agency (FEMA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That the Inspector General of the Board shall utilize personnel of the Office of Inspector General of FEMA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

DEPARTMENT OF THE TREASURY
 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
 FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994, including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES-3, \$118,000,000, to remain available until September 30, 2002, of which \$5,000,000 shall be for technical assistance and training programs designed to benefit Native American Communities, and up to \$8,750,000 may be used for administrative expenses, up to \$19,750,000 may be used for the cost of direct loans, and up to \$1,000,000 may be used for administrative expenses to carry out the direct loan program: *Provided*, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$53,000,000.

CONSUMER PRODUCT SAFETY COMMISSION
 SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed \$500 for official reception and representation expenses, \$52,500,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
 NATIONAL AND COMMUNITY SERVICE PROGRAMS
 OPERATING EXPENSES
 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For necessary expenses for the Corporation for National and Community Service (referred to in the matter under this heading as the "Corporation") in carrying out programs, activities, and initiatives under the National and Community Service Act of 1990 (referred to in the matter under this heading as the "Act") (42 U.S.C. 12501 et seq.), \$458,500,000, to remain available until September 30, 2002: *Provided*, That not more than \$31,000,000 shall be available for administrative expenses authorized under section 501(a)(4) of the Act (42 U.S.C. 12671(a)(4)) with not less than \$2,000,000 targeted for the acquisition of a cost accounting system for the Corporation's financial management system, an integrated grants management system that provides comprehensive financial management information for all Corporation grants and cooperative agreements, and the establishment, operation and maintenance of a central archives serving as the repository for all grant, cooperative agreement, and related documents, without regard to the provisions of section 501(a)(4)(B) of the Act: *Provided further*, That not more than \$2,500 shall be for official reception and representation expenses: *Provided further*, That not more than \$70,000,000, to remain available without fiscal year limitation, shall be transferred to the National Service Trust account for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601 et seq.), of which not to exceed \$5,000,000 shall be available for national service scholarships for high school students performing community service: *Provided further*, That not more

than \$231,000,000 of the amount provided under this heading shall be available for grants under the National Service Trust program authorized under subtitle C of title I of the Act (42 U.S.C. 12571 et seq.) (relating to activities including the AmeriCorps program), of which not more than \$45,000,000 may be used to administer, reimburse, or support any national service program authorized under section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2)); and not more than \$25,000,000 may be made available to activities dedicated to developing computer and information technology skills for students and teachers in low-income communities: *Provided further*, That not more than \$10,000,000 of the funds made available under this heading shall be made available for the Points of Light Foundation for activities authorized under title III of the Act (42 U.S.C. 12661 et seq.): *Provided further*, That no funds shall be available for national service programs run by Federal agencies authorized under section 121(b) of such Act (42 U.S.C. 12571(b)): *Provided further*, That to the maximum extent feasible, funds appropriated under subtitle C of title I of the Act shall be provided in a manner that is consistent with the recommendations of peer review panels in order to ensure that priority is given to programs that demonstrate quality, innovation, replicability, and sustainability: *Provided further*, That not more than \$21,000,000 of the funds made available under this heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the Act (42 U.S.C. 12611 et seq.): *Provided further*, That not more than \$43,000,000 shall be available for school-based and community-based service-learning programs authorized under subtitle B of title I of the Act (42 U.S.C. 12521 et seq.): *Provided further*, That not more than \$28,500,000 shall be available for quality and innovation activities authorized under subtitle H of title I of the Act (42 U.S.C. 12853 et seq.): *Provided further*, That not more than \$5,000,000 shall be available for audits and other evaluations authorized under section 179 of the Act (42 U.S.C. 12639): *Provided further*, That to the maximum extent practicable, the Corporation shall increase significantly the level of matching funds and in-kind contributions provided by the private sector, shall expand significantly the number of educational awards provided under subtitle D of title I, and shall reduce the total Federal costs per participant in all programs: *Provided further*, That of amounts available in the National Service Trust account from previous appropriations Acts, \$30,000,000 shall be rescinded: *Provided further*, That not more than \$7,500,000 of the funds made available under this heading shall be made available to America's Promise—The Alliance for Youth, Inc. only to support efforts to mobilize individuals, groups, and organizations to build and strengthen the character and competence of the Nation's youth: *Provided further*, That not more than \$5,000,000 of the funds made available under this heading shall be made available to the Communities In Schools, Inc. to support dropout prevention activities: *Provided further*, That not more than \$2,500,000 of the funds made available under this heading shall be made available to the Parents as Teachers National Center, Inc. to support childhood parent education and family support activities: *Provided further*, That not more than \$2,500,000 of the funds made available under this heading shall be made available to the Boys and Girls Clubs of America to establish an innovative outreach program designed to meet the special needs of youth in public and Native American housing communities: *Provided further*, That not more than \$1,500,000 of the funds made available under this heading shall be made available to the Youth Life Foundation to meet the needs of children living in insecure environments.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$5,000,000, which shall be available for obligation through September 30, 2002.

ADMINISTRATIVE PROVISION

The Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106-74) is amended under the heading "Corporation for National and Community Service, National and Community Service Programs Operating Expenses" in title III by reducing to \$229,000,000 the amount available for grants under the National Service Trust program authorized under subtitle C of title I of the National and Community Service Act of 1990 (the "Act") (with a corresponding reduction to \$40,000,000 in the amount that may be used to administer, reimburse, or support any national service program authorized under section 121(d)(2) of the Act), and by increasing to \$33,500,000 the amount available for quality and innovation activities authorized under subtitle H of title I of the Act, with the increase in subtitle H funds made available to provide a grant covering a period of three years to support the "P.A.V.E. the Way" project described in House Report 106-379.

COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by 38 U.S.C. 7251-7298, \$12,445,000, of which \$895,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed \$1,000 for official reception and representation expenses, \$17,949,000, to remain available until expended.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, \$63,000,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

SALARIES AND EXPENSES

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i), 111(c)(4), and 111(c)(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, \$75,000,000, to be derived from the Hazardous Substance Superfund Trust Fund pursuant to section 517(a) of SARA (26 U.S.C. 9507): *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without

limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for the Agency for Toxic Substances and Disease Registry to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2001, and existing profiles may be updated as necessary.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project, \$696,000,000, which shall remain available until September 30, 2002.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project; and not to exceed \$6,000 for official reception and representation expenses, \$2,087,990,000, which shall remain available until September 30, 2002: *Provided*, That none of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol: *Provided further*, That none of the funds made available in this Act may be used to implement or administer the interim guidance issued on February 5, 1998, by the Environmental Protection Agency relating to title VI of the Civil Rights Act of 1964 and designated as the “Interim Guidance for Investigating Title VI Administrative Complaints Challenging Permits” with respect to complaints filed under such title after October 21, 1998, and until guidance is finalized. Nothing in this proviso may be construed to restrict the Environmental Protection Agency from developing or issuing final guidance relating to title VI of the Civil Rights Act of 1964: *Provided further*, That notwithstanding section 1412(b)(12)(A)(v) of the Safe Drinking Water Act, as amended, the Administrator shall promul-

gate a national primary drinking water regulation for arsenic not later than June 22, 2001.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project, \$34,094,000, to remain available until September 30, 2002.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, \$23,931,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project; \$1,270,000,000 (of which \$100,000,000 shall not become available until September 1, 2001), to remain available until expended, consisting of \$635,000,000, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101-508, and \$635,000,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, \$11,500,000 shall be transferred to the "Office of Inspector General" appropriation to remain available until September 30, 2002, and \$36,500,000 shall be transferred to the "Science and technology" appropriation to remain available until September 30, 2002.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project, \$72,096,000, to remain available until expended.

OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, \$15,000,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, \$3,628,740,000, to remain available until expended, of which \$1,350,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended; \$825,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended, except that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the

funds made available under this heading in this Act, or in previous appropriations Acts, shall be reserved by the Administrator for health effects studies on drinking water contaminants; \$75,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; \$35,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages; \$335,740,000 shall be for making grants for the construction of wastewater and water treatment facilities and groundwater protection infrastructure in accordance with the terms and conditions specified for such grants in the conference report and joint explanatory statement of the committee of conference accompanying this Act, except that, notwithstanding any other provision of law, of the funds herein and hereafter appropriated under this heading for such special needs infrastructure grants, the Administrator may use up to 3 percent of the amount of each project appropriated to administer the management and oversight of construction of such projects through contracts, allocation to the Corps of Engineers, or grants to States; and \$1,008,000,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104-134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities: *Provided*, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, as amended, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2001 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2001, and notwithstanding section 518(f) of the Federal Water Pollution Control Act, as amended, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to Indian tribes pursuant to section 319(h) and 518(e) of that Act: *Provided further*, That for fiscal year 2001, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act, as amended, up to a total of 1½ percent of the funds appropriated for State Revolving Funds under Title VI of that Act may be reserved by the Administrator for grants under section 518(c) of such Act: *Provided further*, That no funds provided by this legislation to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available after June 1, 2001 to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure: *Provided further*, That notwithstanding any other provision of law, all claims for principal and interest registered through any current grant dispute or any other such dispute hereafter filed by the Environmental Protection Agency relative to construction grants numbers C-180840-01, C-180840-04, C-470319-03, and C-470319-04, are hereby resolved in favor of the grantee: *Provided further*, That EPA, in considering the local match for the \$5,000,000 appro-

priated in fiscal year 1999 for the City of Cumberland, Maryland, to separate and relocate the city's combined sewer and stormwater system, shall take into account non-federal money spent by the City of Cumberland for combined sewer, stormwater and wastewater treatment infrastructure on or after October 1, 1999, and that the fiscal year 1999 and any subsequent funds may be used for any required non-federal share of the costs of projects funded by the federal government under Section 580 of Public Law 106-53.

ADMINISTRATIVE PROVISIONS

For fiscal year 2001 and thereafter, the obligated balances of sums available in multiple-year appropriations accounts shall remain available through the seventh fiscal year after their period of availability has expired for liquidating obligations made during the period of availability.

For fiscal year 2001, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

Section 176(c) of the Clean Air Act, as amended, is amended by adding at the end the following new paragraph:

"(6) Notwithstanding paragraph 5, this subsection shall not apply with respect to an area designated nonattainment under section 107(d)(1) until one year after that area is first designated nonattainment for a specific national ambient air quality standard. This paragraph only applies with respect to the national ambient air quality standard for which an area is newly designated nonattainment and does not affect the area's requirements with respect to all other national ambient air quality standards for which the area is designated nonattainment or has been redesignated from nonattainment to attainment with a maintenance plan pursuant to section 175(A) (including any pre-existing national ambient air quality standard for a pollutant for which a new or revised standard has been issued)."

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed \$2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, \$5,201,000.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, \$2,900,000: *Provided*, That, notwithstanding any other provision of law, no funds other than those appropriated under this heading shall be used for or by the Council on Environmental Quality and Office of Environmental Quality: *Provided further*, That notwithstanding section 202 of the National

Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

(TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$33,660,000, to be derived from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$300,000,000, and, notwithstanding 42 U.S.C. 5203, to remain available until expended, of which not to exceed \$2,900,000 may be transferred to "Emergency management planning and assistance" for the consolidated emergency management performance grant program; and up to \$15,000,000 may be obligated for flood map modernization activities following disaster declarations: *Provided*, That of the funds made available under this heading in this and prior Appropriations Acts and under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to the State of Florida, \$3,000,000 shall be for a hurricane mitigation initiative in Miami-Dade County.

For an additional amount for "Disaster relief", \$1,300,000,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For the cost of direct loans, \$1,678,000, as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$25,000,000.

In addition, for administrative expenses to carry out the direct loan program, \$427,000.

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, including hire and purchase of motor vehicles as authorized by 31 U.S.C. 1343; uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; expenses of attendance of cooperating officials and individuals at meetings concerned with the work of emergency prepared-

ness; transportation in connection with the continuity of Government programs to the same extent and in the same manner as permitted the Secretary of a Military Department under 10 U.S.C. 2632; and not to exceed \$2,500 for official reception and representation expenses, \$215,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$10,000,000: *Provided*, That notwithstanding any other provision of law, the Inspector General of the Federal Emergency Management Agency shall also serve as the Inspector General of the Chemical Safety and Hazard Investigation Board.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For necessary expenses, not otherwise provided for, to carry out activities under the National Flood Insurance Act of 1968, as amended, and the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.), the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947, as amended (50 U.S.C. 404–405), and Reorganization Plan No. 3 of 1978, \$269,652,000: *Provided*, That for purposes of pre-disaster mitigation pursuant to 42 U.S.C. 5131(b) and (c) and 42 U.S.C. 5196(e) and (i), \$25,000,000 of the funds made available under this heading shall be available until expended for project grants.

RADIOLOGICAL EMERGENCY PREPAREDNESS FUND

The aggregate charges assessed during fiscal year 2001, as authorized by Public Law 106–74, shall not be less than 100 percent of the amounts anticipated by FEMA necessary for its radiological emergency preparedness program for the next fiscal year. The methodology for assessment and collection of fees shall be fair and equitable; and shall reflect costs of providing such services, including administrative costs of collecting such fees. Fees received pursuant to this section shall be deposited in the Fund as offsetting collections and will become available for authorized purposes on October 1, 2001, and remain available until expended.

EMERGENCY FOOD AND SHELTER PROGRAM

To carry out an emergency food and shelter program pursuant to title III of Public Law 100–77, as amended, \$140,000,000, to remain available until expended: *Provided*, That total administrative costs shall not exceed 3½ percent of the total appropriation.

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities under the National Flood Insurance Act of 1968, the Flood Disaster Protection Act of 1973, as amended, not to exceed \$25,736,000 for salaries and expenses associated with flood mitigation and flood insurance operations, and not to exceed \$77,307,000 for flood mitigation, including up to \$20,000,000 for expenses under section 1366 of the National Flood Insurance Act, which amount shall be available for transfer to the National Flood Mitigation Fund until September 30, 2002. In fiscal year 2001, no funds in excess of: (1) \$55,000,000 for operating expenses; (2) \$455,627,000 for agents' commissions and taxes; and (3) \$40,000,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund without prior notice to the Committees on Appropriations.

In addition, up to \$17,730,000 in fees collected but unexpended during fiscal years 1994 through 1998 shall be transferred to the Flood Map Modernization Fund and available for expenditure in fiscal year 2001.

Section 1309(a)(2) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)(2)), as amended by Public Law 104–208, is further amended by striking “September 30, 2000” and inserting “December 31, 2001”.

The first sentence of section 1376(c) of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4127(c)), is amended by striking “September 30, 2000” and inserting “December 31, 2001”.

NATIONAL FLOOD MITIGATION FUND

(INCLUDING TRANSFER OF FUNDS)

Notwithstanding sections 1366(b)(3)(B)–(C) and 1366(f) of the National Flood Insurance Act of 1968, as amended, \$20,000,000 to remain available until September 30, 2002, for activities designed to reduce the risk of flood damage to structures pursuant to such Act, of which \$20,000,000 shall be derived from the National Flood Insurance Fund.

GENERAL SERVICES ADMINISTRATION

FEDERAL CONSUMER INFORMATION CENTER FUND

For necessary expenses of the Federal Consumer Information Center, including services authorized by 5 U.S.C. 3109, \$7,122,000, to be deposited into the Federal Consumer Information Center Fund: *Provided*, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Consumer Information Center activities in the aggregate amount of \$12,000,000. Appropriations, revenues, and collections accruing to this Fund during fiscal year 2001 in excess of \$12,000,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

HUMAN SPACE FLIGHT

For necessary expenses, not otherwise provided for, in the conduct and support of human space flight research and development activities, including research, development, operations, and services; maintenance; construction of facilities including revitalization and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$5,462,900,000, to remain available until September 30, 2002.

SCIENCE, AERONAUTICS AND TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and technology research and development activities, including research, development, operations, and services; maintenance; construction of facilities including revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$6,190,700,000, to remain available until September 30, 2002.

MISSION SUPPORT

For necessary expenses, not otherwise provided for, in carrying out mission support for human space flight programs and science, aeronautical, and technology programs, including research operations and support; maintenance; construction of facilities including revitalization and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, environmental compliance and restoration, and acquisition or condemnation of real property, as authorized by law; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase, lease, charter, maintenance, and operation of mission and administrative aircraft; not to exceed \$40,000 for official reception and representation expenses; and purchase (not to exceed 33 for replacement only) and hire of passenger motor vehicles, \$2,608,700,000 to remain available until September 30, 2002.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$23,000,000.

ADMINISTRATIVE PROVISIONS

Notwithstanding the limitation on the availability of funds appropriated for “Human space flight”, “Science, aeronautics and technology”, or “Mission support” by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities as authorized by law, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated in “Mission support” pursuant to the authorization for minor revitalization and construction of facilities, and facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for “Human space flight”, “Science, aeronautics and technology”, or “Mission support” by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 2003.

Notwithstanding the limitation on the availability of funds appropriated for “Mission support” and “Office of Inspector General”, amounts made available by this Act for personnel and related costs and travel expenses of the National Aeronautics and Space Administration shall remain available until September 30, 2001 and may be used to enter into contracts for training, investigations, costs associated with personnel relocation, and for other services, to be provided during the next fiscal year. Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Unless otherwise provided for in this Act or in the joint explanatory statement of the committee of conference accompanying this Act, no part of the funds appropriated for “Human space flight” may be used for the development of the International Space Station in excess of the amounts set forth in the budget estimates submitted as part of the budget request for fiscal year 2001.

No funds in this or any other Appropriations Act may be used to finalize an agreement prior to December 1, 2001 between NASA and a nongovernment organization to conduct research utilization and commercialization management activities of the International Space Station.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

(INCLUDING TRANSFER OF FUNDS)

During fiscal year 2001, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq., shall not exceed \$1,500,000,000: *Provided*, That administrative expenses of the Central Liquidity Facility shall not exceed \$296,303: *Provided further*, That \$1,000,000 shall be transferred to the Community Development Revolving Loan Fund, of which \$650,000, together with amounts of principal and interest on loans repaid, shall be available until expended for loans to community development credit unions, and \$350,000 shall be available until expended for technical assistance to low-income and community development credit unions.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; authorized travel; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; \$3,350,000,000, of which not to exceed \$275,592,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program; the balance to remain available until September 30, 2002: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further*, That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally: *Provided further*, That \$65,000,000 of the funds available under this heading shall be made available for a comprehensive research initiative on plant genomes for economically significant crops: *Provided further*, That no funds in this or any other Act shall be used to acquire or lease a research vessel with ice-breaking capability built or retrofitted by a shipyard located in a foreign country if such a vessel of United States origin can be obtained at a cost no more than 50 per centum above that of the least expensive technically acceptable foreign vessel bid: *Provided further*, That, in determining the cost of such a vessel, such cost be increased by the amount of any subsidies or financing provided by a foreign government (or instrumentality thereof) to such vessel's construction: *Provided further*, That if the vessel contracted for pursuant to the foregoing is not available for the 2002–2003 austral summer Antarctic season, a vessel of any origin may be leased for a period of not to exceed 120 days for that season and each season thereafter until delivery of the new vessel.

MAJOR RESEARCH EQUIPMENT

For necessary expenses of major construction projects pursuant to the National Science Foundation Act of 1950, as amended, including authorized travel, \$121,600,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109, authorized travel, and rental of conference rooms in the District of Columbia, \$787,352,000, to remain available until September 30, 2002: *Provided*, That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally: *Provided further*, That \$10,000,000 shall be available for the Office of Innovation Partnerships.

SALARIES AND EXPENSES

For salaries and expenses necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed \$9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; reimbursement of the General Services Administration for security guard services; \$160,890,000: *Provided*, That contracts may be entered into under “Salaries and expenses” in fiscal year 2001 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, \$6,280,000, to remain available until September 30, 2002.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), \$90,000,000, of which \$5,000,000 shall be for a homeownership program that is used in conjunction with section 8 assistance under the United States Housing Act of 1937: *Provided*, That of the amount made available, \$2,500,000 shall be for an endowment to establish the George Knight Scholarship Fund for the Neighborhood Reinvestment Training Institute.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; and not to exceed \$1,000 for official reception and representation expenses; \$24,480,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever he deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

TITLE IV—GENERAL PROVISIONS

SEC. 401. Where appropriations in titles I, II, and III of this Act are expendable for travel expenses and no specific limitation has

been placed thereon, the expenditures for such travel expenses may not exceed the amounts set forth therefore in the budget estimates submitted for the appropriations: *Provided*, That this provision does not apply to accounts that do not contain an object classification for travel: *Provided further*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department of Veterans Affairs; to travel performed in connection with major disasters or emergencies declared or determined by the President under the provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; to travel performed by the Offices of Inspector General in connection with audits and investigations; or to payments to interagency motor pools where separately set forth in the budget schedules: *Provided further*, That if appropriations in titles I, II, and III exceed the amounts set forth in budget estimates initially submitted for such appropriations, the expenditures for travel may correspondingly exceed the amounts therefore set forth in the estimates in the same proportion.

SEC. 402. Appropriations and funds available for the administrative expenses of the Department of Housing and Urban Development and the Selective Service System shall be available in the current fiscal year for purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109.

SEC. 403. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 404. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 405. No funds appropriated by this Act may be expended—

(1) pursuant to a certification of an officer or employee of the United States unless—

(A) such certification is accompanied by, or is part of, a voucher or abstract which describes the payee or payees and the items or services for which such expenditure is being made; or

(B) the expenditure of funds pursuant to such certification, and without such a voucher or abstract, is specifically authorized by law; and

(2) unless such expenditure is subject to audit by the General Accounting Office or is specifically exempt by law from such audit.

SEC. 406. None of the funds provided in this Act to any department or agency may be expended for the transportation of any officer or employee of such department or agency between their domicile and their place of employment, with the exception of any officer or employee authorized such transportation under 31 U.S.C. 1344 or 5 U.S.C. 7905.

SEC. 407. None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: *Provided*, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research.

SEC. 408. None of the funds in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for level IV of the Executive Schedule, unless specifically authorized by law.

SEC. 409. None of the funds provided in this Act shall be used to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings. Nothing herein affects the authority of the Consumer Product Safety Commission pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056 et seq.).

SEC. 410. Except as otherwise provided under existing law, or under an existing Executive Order issued pursuant to an existing law, the obligation or expenditure of any appropriation under this Act for contracts for any consulting service shall be limited to contracts which are: (1) a matter of public record and available for public inspection; and (2) thereafter included in a publicly available list of all contracts entered into within 24 months prior to the date on which the list is made available to the public and of all contracts on which performance has not been completed by such date. The list required by the preceding sentence shall be updated quarterly and shall include a narrative description of the work to be performed under each such contract.

SEC. 411. Except as otherwise provided by law, no part of any appropriation contained in this Act shall be obligated or expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), for a contract for services unless such executive agency: (1) has awarded and entered into such contract in full compliance with such Act and the regulations promulgated thereunder; and (2) requires any report prepared pursuant to such contract, including plans, evaluations, studies, analyses and manuals, and any report prepared by the agency which is substantially derived from or substantially includes any report prepared pursuant to such contract, to contain information concerning: (A) the contract pursuant to which the report was prepared; and (B) the contractor who prepared the report pursuant to such contract.

SEC. 412. Except as otherwise provided in section 406, none of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 413. None of the funds provided in this Act to any department or agency shall be obligated or expended to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of less than 22 miles per gallon.

SEC. 414. None of the funds appropriated in title I of this Act shall be used to enter into any new lease of real property if the estimated annual rental is more than \$300,000 unless the Secretary submits, in writing, a report to the Committees on Appropriations of the Congress and a period of 30 days has expired following the date on which the report is received by the Committees on Appropriations.

SEC. 415. (a) It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 416. None of the funds appropriated in this Act may be used to implement any cap on reimbursements to grantees for indirect costs, except as published in Office of Management and Budget Circular A-21.

SEC. 417. Such sums as may be necessary for fiscal year 2001 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 418. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 419. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Act as may be necessary in carrying out the programs set forth in the budget for 2001 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 420. Notwithstanding section 320(g) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)), funds made available pursuant to authorization under such section for fiscal year 2001 may be used for implementing comprehensive conservation and management plans.

SEC. 421. Notwithstanding any other provision of law, the term "qualified student loan" with respect to national service education awards shall mean any loan made directly to a student by the Alaska Commission on Postsecondary Education, in addition to other meanings under section 148(b)(7) of the National and Community Service Act.

SEC. 422. Unless otherwise provided for in this Act, no part of any appropriation for the Department of Housing and Urban Development shall be available for any activity in excess of amounts set forth in the budget estimates submitted to the Congress.

SEC. 423. None of the funds appropriated or otherwise made available by this Act shall be used to promulgate a final regulation to implement changes in the payment of pesticide tolerance processing fees as proposed at 64 Fed. Reg. 31040, or any similar proposals. The Environmental Protection Agency may proceed with the development of such a rule.

SEC. 424. Except in the case of entities that are funded solely with Federal funds or any natural persons that are funded under this Act, none of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties to lobby or litigate in respect to adjudicatory proceedings funded in this Act. A chief executive officer of any entity receiving funds under this Act shall certify that none of these funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law.

SEC. 425. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 426. None of the funds provided in title II for technical assistance, training, or management improvements may be obligated or expended unless HUD provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each activity as part of the Budget Justifications. For fiscal year 2001, HUD shall transmit this information to the Committees by November 1, 2000, for 30 days of review.

SEC. 427. None of the funds made available in this Act may be used for the designation, or approval of the designation, of any area as an ozone nonattainment area under the Clean Air Act pursuant to the 8-hour national ambient air quality standard for ozone that was promulgated by the Environmental Protection Agency on July 18, 1997 (62 Fed. Reg. 38,356, p. 38855) and remanded by the District of Columbia Court of Appeals on May 14, 1999, in the case, *American Trucking Ass'ns. v. EPA* (No. 97-1440, 1999 Westlaw 300618) prior to June 15, 2001 or final adjudication of this case by the Supreme Court of the United States, whichever occurs first.

SEC. 428. Section 432 of Public Law 104-204 (110 Stat. 2874) is amended—

(a) in subsection (c) by inserting “or to restructure and improve the efficiency of the workforce” after “the National Aeronautics and Space Administration” and before “the Administrator”;

(b) by deleting paragraph (4) of subsection (h) and inserting in lieu thereof—

“(4) The provisions of subsections (1) and (3) of this section may be waived upon a determination by the Administrator that use of the incentive satisfactorily demonstrates downsizing or other restructuring within the Agency that would improve the efficiency of agency operations or contribute directly to evolving mission requirements.”

(c) by deleting subsection (i) and inserting in lieu thereof—

“(i) REPORTS.—The Administrator shall submit a report on NASA’s restructuring activities to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate not later than September 30, 2001. This report shall include—

“(1) an outline of a timetable for restructuring the workforce at NASA Headquarters and field Centers;

“(2) annual Full Time Equivalent (FTE) targets by broad occupational categories and a summary of how these targets reflect the respective missions of Headquarters and the field Centers;

“(3) a description of personnel initiatives, such as relocation assistance, early retirement incentives, and career transition assistance, which NASA will use to achieve personnel reductions or to rebalance the workforce; and

“(4) a description of efficiencies in operations achieved through the use of the voluntary separation incentive.”; and

(d) in subsection (j), by deleting “September 30, 2000” and inserting in lieu thereof “September 30, 2002”.

SEC. 429. Section 70113(f) of title 49, United States Code, is amended by striking “December 31, 2000”, and inserting “December 31, 2001”.

SEC. 430. All Departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” technologies and procedures in the conduct of their business practices and public service activities.

SEC. 431. Title III of the National Aeronautics and Space Act of 1958, Public Law 85-568, is amended by adding the following new section at the end:

“SEC. 312. (a) Appropriations for the Administration for fiscal year 2002 and thereafter shall be made in three accounts, ‘Human space flight’, ‘Science, aeronautics and technology’, and an account

for amounts appropriated for the necessary expenses of the Office of Inspector General. Appropriations shall remain available for 2 fiscal years. Each account shall include the planned full costs of the Administration's related activities.

“(b) To ensure the safe, timely, and successful accomplishment of Administration missions, the Administration may transfer amounts for Federal salaries and benefits; training, travel and awards; facility and related costs; information technology services; publishing services; science, engineering, fabricating and testing services; and other administrative services among accounts, as necessary.

“(c) The Administrator, in consultation with the Director of the Office of Management and Budget, shall determine what balances from the ‘Mission support’ account are to be transferred to the ‘Human space flight’ and ‘Science, aeronautics and technology’ accounts. Such balances shall be transferred and merged with the ‘Human space flight’ and ‘Science, aeronautics and technology’ accounts, and remain available for the period of which originally appropriated.”.

TITLE V—FILIPINO VETERANS’ BENEFITS IMPROVEMENTS

SEC. 501. (a) RATE OF COMPENSATION PAYMENTS FOR FILIPINO VETERANS RESIDING IN THE UNITED STATES.—(1) Section 107 of title 38, United States Code, is amended—

(A) by striking “Payments” in the second sentence of subsection (a) and inserting “Except as provided in subsection (c), payments”; and

(B) by adding at the end the following new subsection:

“(c) In the case of benefits under subchapters II and IV of chapter 11 of this title paid by reason of service described in subsection (a) to an individual residing in the United States who is a citizen of, or an alien lawfully admitted for permanent residence in, the United States, the second sentence of subsection (a) shall not apply.”.

(2) The amendments made by paragraph (1) shall take effect on the date of the enactment of this Act and shall apply to benefits paid for months beginning on or after that date.

(b) ELIGIBILITY FOR HEALTH CARE OF DISABLED FILIPINO VETERANS RESIDING IN THE UNITED STATES.—Section 1734 of such title is amended—

(1) by inserting “(a)” before “The Secretary,”; and

(2) by adding at the end the following:

“(b) An individual who is in receipt of benefits under subchapter II or IV of chapter 11 of this title paid by reason of service described in section 107(a) of this title who is residing in the United States and who is a citizen of, or an alien lawfully admitted for permanent residence in, the United States shall be eligible for hospital and nursing home care and medical services in the same manner as a veteran, and the disease or disability for which such benefits are paid shall be considered to be a service-connected disability for purposes of this chapter.”.

(c) HEALTH CARE FOR VETERANS RESIDING IN THE PHILIPPINES.—Section 1724 of such title is amended by adding at the end the following new subsection:

“(e) Within the limits of an outpatient clinic in the Republic of the Philippines that is under the direct jurisdiction of the Secretary, the Secretary may furnish a veteran who has a service-connected disability with such medical services as the Secretary determines to be needed.”.

TITLE VI—DEBT REDUCTION
DEPARTMENT OF THE TREASURY
BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount for fiscal year 2001 into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, \$5,172,730,916.14.

DIVISION B

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS
ACT, 2001

SEC. 1001. Such amounts as may be necessary are hereby appropriated for programs, projects, or activities provided for in H.R. 4733, the Energy and Water Development Appropriations Act, 2001, to the extent and in the manner provided for in the conference report and joint explanatory statement of the committee of conference (House Report 106–907) as filed in the House of Representatives on September 27, 2000, as if enacted into law, except:

(1) that such conference report shall be considered as not including those provisions in section 103 of the conference report on H.R. 4733 as filed in the House of Representatives on September 27, 2000;

(2) that such conference report on H.R. 4733 filed in the House of Representatives on September 27, 2000 shall be considered as providing \$1,000,000 for the Upper Susquehanna River Basin, New York, investigation within available funds under General Investigations in Title I;

(3) that such conference report on H.R. 4733 filed in the House of Representatives on September 27, 2000 shall be considered as appropriating \$1,717,199,000 for Construction, General under Title I, including \$8,400,000 for the Elba, Alabama, flood control project; \$10,800,000 for the Geneva, Alabama, flood control project; \$1,000,000 for the Metropolitan Louisville, Beargrass Creek, Kentucky, project; \$3,000,000 for the St. Louis, Missouri, environmental infrastructure project authorized by section 502(f)(32) of Public Law 106–53; and \$2,000,000 for the Black Fox, Murfree and Oaklands Springs Wetlands, Tennessee, project;

(4) that such conference report on H.R. 4733 filed in the House of Representatives on September 27, 2000 shall be considered as including the following at the end of Title I:

“SEC. 106. The Secretary of the Army, acting through the Chief of Engineers, is authorized to construct the locally preferred plan for flood control, environmental restoration and recreation, Murrieta Creek, California, described as Alternative 6, based on the Murrieta Creek Feasibility Report and Environmental Impact Statement dated October 2000, at a total cost of \$89,850,000, with an estimated Federal cost of \$57,735,000 and an estimated non-Federal cost of \$32,115,000.

“SEC. 107. Within available funds, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Rio Grand de Manati flood control project at Barceloneta, Puerto Rico, which was initiated under the authority of the Section 205 program prior to being specifically authorized in the Water Resources Development Act of 1999.”;

(5) that such conference report on H.R. 4733 filed in the House of Representatives on September 27, 2000 shall be considered as providing that \$19,158,000 of the amount appropriated under the Central Utah Project Completion Account under Title II shall be deposited into the Utah Reclamation Mitigation and Conservation Account;

(6) that such conference report on H.R. 4733 filed in the House of Representatives on September 27, 2000 shall be considered as not including those provisions in section 211, and shall be considered as including the following new section 211: “SEC. 211. Section 106 of the San Luis Rey Indian Water Rights Settlement Act (Public Law 100–675, 102 Stat. 4000 et seq.) is amended by adding at the end the following new subsection:

“(f) REQUIREMENT TO FURNISH WATER, POWER CAPACITY AND ENERGY.—Notwithstanding any other provision of law, in order to fulfill the trust responsibility to the Bands, the Secretary, acting through the Commissioner of Reclamation, shall permanently furnish annually the following:

“(1) WATER.—16,000 acre-feet of the water conserved by the works authorized by title II, for the benefit of the Bands and the local entities in accordance with the settlement agreement: *Provided*, That during construction of said works, the Indian Water Authority and the local entities shall receive 17 percent of any water conserved by said works up to a maximum of 16,000 acre-feet per year. The Indian Water Authority and the local entities shall pay their proportionate share of such costs as are provided by section 203(b) of title II or are agreed to by them.

“(2) POWER CAPACITY AND ENERGY.—Beginning on the date when conserved water from the works authorized by title II first becomes available, power capacity and energy through the Yuma Arizona Area Aggregate Power Managers (Yuma Area Contractors), at no cost and at no further expense to the United States, the Indian Water Authority, the Bands, and the local entities, in amounts sufficient to convey the water conserved pursuant to paragraph (1) from Lake Havasu through the Colorado River Aqueduct and to the places of use on the Bands’ reservations or in the local entities’ service areas in accordance with the settlement agreement. The Secretary, through a coterminus exhibit to Bureau of Reclamation Contract No. 6–CU–30–P1136, shall enter into an agreement with the Yuma Area Contractors which shall provide for furnishing annually and permanently said power capacity and energy by said Yuma Area Contractors at no cost and at no further expense to the United States, the Indian Water Authority, the Bands, and the local entities. The Secretary shall authorize the Yuma Area Contractors to utilize federal project use power provided for in Bureau of Reclamation Contracts numbered 6–CU–30–P1136, 6–CU–30–P1137, and 6–CU–30–P1138 for the full range of purposes served by the Yuma Area Contractors, including the purpose of supplying the power capacity and energy to convey the conserved water referred to in paragraph (1), for so long as the Yuma Area Contractors meet their obligation to provide sufficient power capacity and energy for the conveyance of said conserved water. If for any reason the Yuma Area Contractors do not provide said power capacity and energy for the conveyance of said conserved water, then the Secretary shall furnish said power capacity and energy annually and permanently at the lowest rate assigned to project use power within the jurisdiction of the Bureau of Reclamation in accordance with Exhibit E “Project Use Power” of the Agreement between Water and Power Resources Service, Department of the Interior, and Western Area Power Administration, Department of Energy (March 26, 1980).

“SEC. 106A. ANNUAL REPAYMENT INSTALLMENTS. During the period of planning, design and construction of any of the works authorized by title II of Public Law 100–675 and during the period that the Indian Water Authority and the local entities referred to in said Act receive up to 16,000 acre feet of the water conserved by said works, the annual repayment installments provided in Section 102(b) of Public Law 93–320 shall continue to be nonreimburs-

able. Nothing in this Section shall affect the National obligation set forth in Section 101(c) of Public Law 93-320.'"; and

(7) that such conference report shall be considered as not including those provisions in section 605 of the conference report on H.R. 4733 as filed in the House of Representatives on September 27, 2000.

SEC. 1002. In publishing this Act in slip form and in the United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in section 1001.

DIVISION C

In lieu of a statement of the managers that would otherwise accompany a conference report for a bill making appropriations for Federal agencies and activities provided for in this Act, reports that are filed in identical form by the House and Senate Committees on Appropriations prior to adjournment of the One Hundred Sixth Congress shall be considered by the Office of Management and Budget, and the agencies responsible for the obligation and expenditure of funds provided in this Act, as having the same standing, force and legislative history as would a statement of the managers accompanying a conference report.

Titles I-IV of division A of this Act may be cited as the "Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001".

Attest:

Secretary.

106TH CONGRESS
2D SESSION

H. R. 4635

AMENDMENT

HR 4635 EAS—2

HR 4635 EAS—3

HR 4635 EAS—4

HR 4635 EAS—5

HR 4635 EAS—6

HR 4635 EAS—7

HR 4635 EAS—8

HR 4635 EAS—9

HR 4635 EAS—10