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106TH CONGRESS
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S. 2553

[Report No. 106-293]

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

IN THE SENATE OF THE UNITED STATES

MAY 12, 2000

Mr. SPECTER, from the Committee on Appropriations, reported, under authority of the order of the Senate of January 6, 1999, the following original bill; which was read twice and placed on the calendar

A BILL

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

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

1 Education, and related agencies for the fiscal year ending
 2 September 30, 2001, and for other purposes, namely:

3 TITLE I—DEPARTMENT OF LABOR

4 EMPLOYMENT AND TRAINING ADMINISTRATION

5 TRAINING AND EMPLOYMENT SERVICES

6 For necessary expenses of the Workforce Investment
 7 Act, including the purchase and hire of passenger motor
 8 vehicles, the construction, alteration, and repair of build-
 9 ings and other facilities, and the purchase of real property
 10 for training centers as authorized by the Workforce In-
 11 vestment Act and the National Skill Standards Act of
 12 1994; \$2,990,141,000 plus reimbursements, of which
 13 \$1,718,801,000 is available for obligation for the period
 14 July 1, 2001 through June 30, 2002, of which
 15 \$1,250,965,000 is available for obligation for the period
 16 April 1, 2001 through June 30, 2002, including
 17 \$1,000,965,000 to carry out chapter 4 of the Workforce
 18 Investment Act and \$250,000,000 to carry out section
 19 169 of such Act; and of which \$20,375,000 is available
 20 for the period July 1, 2001 through June 30, 2004 for
 21 necessary expenses of construction, rehabilitation, and ac-
 22 quisition of Job Corps centers: *Provided*, That \$9,098,000
 23 shall be for carrying out section 172 of the Workforce In-
 24 vestment Act, and \$3,500,000 shall be for carrying out
 25 the National Skills Standards Act of 1994: *Provided fur-*

1 *ther*, That no funds from any other appropriation shall
 2 be used to provide meal services at or for Job Corps cen-
 3 ters: *Provided further*, That funds provided to carry out
 4 section 171(d) of such Act may be used for demonstration
 5 projects that provide assistance to new entrants in the
 6 workforce and incumbent workers: *Provided further*, That
 7 funding provided to carry out projects under section 171
 8 of the Workforce Investment Act of 1998 that are identi-
 9 fied in the Conference Agreement, shall not be subject to
 10 the requirements of section 171(b)(2)(B) of such Act, the
 11 requirements of section 171(c)(4)(D) of such Act, or the
 12 joint funding requirements of sections 171(b)(2)(A) and
 13 171(c)(4)(A) of such Act: *Provided further*, That funding
 14 appropriated herein for Dislocated Worker Employment
 15 and Training Activities under section 132(a)(2)(A) of the
 16 Workforce Investment Act of 1998 may be distributed for
 17 Dislocated Worker Projects under section 171(d) of the
 18 Act without regard to the 10 percent limitation contained
 19 in section 171(d) of the Act.

20 For necessary expenses of the Workforce Investment
 21 Act, including the purchase and hire of passenger motor
 22 vehicles, the construction, alteration, and repair of build-
 23 ings and other facilities, and the purchase of real property
 24 for training centers as authorized by the Workforce In-
 25 vestment Act; \$2,463,000,000 plus reimbursements, of

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

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

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I; and for training, allowances for job search and relocation, and related State administrative expenses under part II, subchapters B and D, chapter 2, title II of the Trade Act of 1974, as amended, \$406,550,000, together with such amounts as may be necessary to be charged to the

1 subsequent appropriation for payments for any period sub-
2 sequent to September 15 of the current year.

3 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
4 SERVICE OPERATIONS

5 For authorized administrative expenses,
6 \$153,452,000, together with not to exceed
7 \$3,095,978,000 (including not to exceed \$1,228,000
8 which may be used for amortization payments to States
9 which had independent retirement plans in their State em-
10 ployment service agencies prior to 1980), which may be
11 expended from the Employment Security Administration
12 account in the Unemployment Trust Fund including the
13 cost of administering section 51 of the Internal Revenue
14 Code of 1986, as amended, section 7(d) of the Wagner-
15 Peyser Act, as amended, the Trade Act of 1974, as
16 amended, the Immigration Act of 1990, and the Immigra-
17 tion and Nationality Act, as amended, and of which the
18 sums available in the allocation for activities authorized
19 by title III of the Social Security Act, as amended (42
20 U.S.C. 502–504), and the sums available in the allocation
21 for necessary administrative expenses for carrying out 5
22 U.S.C. 8501–8523, shall be available for obligation by the
23 States through December 31, 2001, except that funds
24 used for automation acquisitions shall be available for obli-
25 gation by the States through September 30, 2003; and
26 of which \$153,452,000, together with not to exceed

1 \$763,283,000 of the amount which may be expended from
2 said trust fund, shall be available for obligation for the
3 period July 1, 2001 through June 30, 2002, to fund ac-
4 tivities under the Act of June 6, 1933, as amended, in-
5 cluding the cost of penalty mail authorized under 39
6 U.S.C. 3202(a)(1)(E) made available to States in lieu of
7 allotments for such purpose: *Provided*, That to the extent
8 that the Average Weekly Insured Unemployment (AWIU)
9 for fiscal year 2001 is projected by the Department of
10 Labor to exceed 2,396,000, an additional \$28,600,000
11 shall be available for obligation for every 100,000 increase
12 in the AWIU level (including a pro rata amount for any
13 increment less than 100,000) from the Employment Secu-
14 rity Administration Account of the Unemployment Trust
15 Fund: *Provided further*, That funds appropriated in this
16 Act which are used to establish a national one-stop career
17 center system, or which are used to support the national
18 activities of the Federal-State unemployment insurance
19 programs, may be obligated in contracts, grants or agree-
20 ments with non-State entities: *Provided further*, That
21 funds appropriated under this Act for activities authorized
22 under the Wagner-Peyser Act, as amended, and title III
23 of the Social Security Act, may be used by the States to
24 fund integrated Employment Service and Unemployment
25 Insurance automation efforts, notwithstanding cost alloca-

tion principles prescribed under Office of Management
and Budget Circular A–87.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust
Fund as authorized by sections 905(d) and 1203 of the
Social Security Act, as amended, and to the Black Lung
Disability Trust Fund as authorized by section 9501(c)(1)
of the Internal Revenue Code of 1954, as amended; and
for nonrepayable advances to the Unemployment Trust
Fund as authorized by section 8509 of title 5, United
States Code, and to the “Federal unemployment benefits
and allowances” account, to remain available until Sep-
tember 30, 2002, \$435,000,000.

In addition, for making repayable advances to the
Black Lung Disability Trust Fund in the current fiscal
year after September 15, 2001, for costs incurred by the
Black Lung Disability Trust Fund in the current fiscal
year, such sums as may be necessary.

PROGRAM ADMINISTRATION

For expenses of administering employment and train-
ing programs, \$107,651,000, including \$6,431,000 to sup-
port up to 75 full-time equivalent staff, the majority of
which will be term Federal appointments lasting no more
than 1 year, to administer welfare-to-work grants, to-
gether with not to exceed \$48,507,000, which may be ex-

1 pended from the Employment Security Administration ac-
 2 count in the Unemployment Trust Fund.

3 PENSION AND WELFARE BENEFITS ADMINISTRATION

4 SALARIES AND EXPENSES

5 For necessary expenses for the Pension and Welfare
 6 Benefits Administration, \$103,342,000.

7 PENSION BENEFIT GUARANTY CORPORATION

8 PENSION BENEFIT GUARANTY CORPORATION FUND

9 The Pension Benefit Guaranty Corporation is author-
 10 ized to make such expenditures, including financial assist-
 11 ance authorized by section 104 of Public Law 96-364,
 12 within limits of funds and borrowing authority available
 13 to such Corporation, and in accord with law, and to make
 14 such contracts and commitments without regard to fiscal
 15 year limitations as provided by section 104 of the Govern-
 16 ment Corporation Control Act, as amended (31 U.S.C.
 17 9104), as may be necessary in carrying out the program
 18 through September 30, 2001, for such Corporation: *Pro-*
 19 *vided*, That not to exceed \$11,652,000 shall be available
 20 for administrative expenses of the Corporation: *Provided*
 21 *further*, That expenses of such Corporation in connection
 22 with the termination of pension plans, for the acquisition,
 23 protection or management, and investment of trust assets,
 24 and for benefits administration services shall be consid-

1 ered as non-administrative expenses for the purposes here-
 2 of, and excluded from the above limitation.

3 EMPLOYMENT STANDARDS ADMINISTRATION

4 SALARIES AND EXPENSES

5 For necessary expenses for the Employment Stand-
 6 ards Administration, including reimbursement to State,
 7 Federal, and local agencies and their employees for inspec-
 8 tion services rendered, \$350,779,000, together with
 9 \$1,985,000 which may be expended from the Special Fund
 10 in accordance with sections 39(c), 44(d) and 44(j) of the
 11 Longshore and Harbor Workers' Compensation Act: *Pro-*
 12 *vided*, That \$2,000,000 shall be for the development of
 13 an alternative system for the electronic submission of re-
 14 ports required to be filed under the Labor-Management
 15 Reporting and Disclosure Act of 1959, as amended, and
 16 for a computer database of the information for each sub-
 17 mission by whatever means, that is indexed and easily
 18 searchable by the public via the Internet: *Provided further*,
 19 That the Secretary of Labor is authorized to accept, re-
 20 tain, and spend, until expended, in the name of the De-
 21 partment of Labor, all sums of money ordered to be paid
 22 to the Secretary of Labor, in accordance with the terms
 23 of the Consent Judgment in Civil Action No. 91-0027 of
 24 the United States District Court for the District of the
 25 Northern Mariana Islands (May 21, 1992): *Provided fur-*

1 *ther*, That the Secretary of Labor is authorized to estab-
 2 lish and, in accordance with 31 U.S.C. 3302, collect and
 3 deposit in the Treasury fees for processing applications
 4 and issuing certificates under sections 11(d) and 14 of the
 5 Fair Labor Standards Act of 1938, as amended (29
 6 U.S.C. 211(d) and 214) and for processing applications
 7 and issuing registrations under title I of the Migrant and
 8 Seasonal Agricultural Worker Protection Act (29 U.S.C.
 9 1801 et seq.).

10 SPECIAL BENEFITS

11 (INCLUDING TRANSFER OF FUNDS)

12 For the payment of compensation, benefits, and ex-
 13 penses (except administrative expenses) accruing during
 14 the current or any prior fiscal year authorized by title 5,
 15 chapter 81 of the United States Code; continuation of ben-
 16 efits as provided for under the heading “Civilian War Ben-
 17 efits” in the Federal Security Agency Appropriation Act,
 18 1947; the Employees’ Compensation Commission Appro-
 19 priation Act, 1944; sections 4(c) and 5(f) of the War
 20 Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per-
 21 cent of the additional compensation and benefits required
 22 by section 10(h) of the Longshore and Harbor Workers’
 23 Compensation Act, as amended, \$56,000,000 together
 24 with such amounts as may be necessary to be charged to
 25 the subsequent year appropriation for the payment of
 26 compensation and other benefits for any period subse-

1 quent to August 15 of the current year: *Provided*, That
2 amounts appropriated may be used under section 8104 of
3 title 5, United States Code, by the Secretary of Labor to
4 reimburse an employer, who is not the employer at the
5 time of injury, for portions of the salary of a reemployed,
6 disabled beneficiary: *Provided further*, That balances of re-
7 imbursements unobligated on September 30, 2000, shall
8 remain available until expended for the payment of com-
9 pensation, benefits, and expenses: *Provided further*, That
10 in addition there shall be transferred to this appropriation
11 from the Postal Service and from any other corporation
12 or instrumentality required under section 8147(c) of title
13 5, United States Code, to pay an amount for its fair share
14 of the cost of administration, such sums as the Secretary
15 determines to be the cost of administration for employees
16 of such fair share entities through September 30, 2001:
17 *Provided further*, That of those funds transferred to this
18 account from the fair share entities to pay the cost of ad-
19 ministration, \$30,510,000 shall be made available to the
20 Secretary as follows: (1) for the operation of and enhance-
21 ment to the automated data processing systems, including
22 document imaging, medical bill review, and periodic roll
23 management, in support of Federal Employees' Com-
24 pensation Act administration, \$19,971,000; (2) for con-
25 version to a paperless office, \$7,005,000; (3) for commu-

1 nications redesign, \$750,000; (4) for information tech-
 2 nology maintenance and support, \$2,784,000; and (5) the
 3 remaining funds shall be paid into the Treasury as mis-
 4 cellaneous receipts: *Provided further*, That the Secretary
 5 may require that any person filing a notice of injury or
 6 a claim for benefits under chapter 81 of title 5, United
 7 States Code, or 33 U.S.C. 901 et seq., provide as part
 8 of such notice and claim, such identifying information (in-
 9 cluding Social Security account number) as such regula-
 10 tions may prescribe.

11 BLACK LUNG DISABILITY TRUST FUND

12 (INCLUDING TRANSFER OF FUNDS)

13 Beginning in fiscal year 2001 and thereafter, such
 14 sums as may be necessary from the Black Lung Disability
 15 Trust Fund, to remain available until expended, for pay-
 16 ment of all benefits authorized by section 9501(d)(1) (2)
 17 (4) and (7) of the Internal Revenue Code of 1954, as
 18 amended; and interest on advances as authorized by sec-
 19 tion 9501(c)(2) of that Act. In addition, the following
 20 amounts shall be available from the Fund for fiscal year
 21 2001 for expenses of operation and administration of the
 22 Black Lung Benefits program as authorized by section
 23 9501(d)(5) of that Act: \$30,393,000 for transfer to the
 24 Employment Standards Administration, “Salaries and Ex-
 25 penses”; \$21,590,000 for transfer to Departmental Man-
 26 agement, “Salaries and Expenses”; \$318,000 for transfer

1 to Departmental Management, “Office of Inspector Gen-
 2 eral”; and \$356,000 for payments into Miscellaneous Re-
 3 ceipts for the expenses of the Department of Treasury.

4 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
 5 SALARIES AND EXPENSES

6 For necessary expenses for the Occupational Safety
 7 and Health Administration, \$425,983,000, including not
 8 to exceed \$88,493,000 which shall be the maximum
 9 amount available for grants to States under section 23(g)
 10 of the Occupational Safety and Health Act, which grants
 11 shall be no less than 50 percent of the costs of State occu-
 12 pational safety and health programs required to be in-
 13 curred under plans approved by the Secretary under sec-
 14 tion 18 of the Occupational Safety and Health Act of
 15 1970; and, in addition, notwithstanding 31 U.S.C. 3302,
 16 the Occupational Safety and Health Administration may
 17 retain up to \$750,000 per fiscal year of training institute
 18 course tuition fees, otherwise authorized by law to be col-
 19 lected, and may utilize such sums for occupational safety
 20 and health training and education grants: *Provided*, That,
 21 notwithstanding 31 U.S.C. 3302, the Secretary of Labor
 22 is authorized, during the fiscal year ending September 30,
 23 2001, to collect and retain fees for services provided to
 24 Nationally Recognized Testing Laboratories, and may uti-
 25 lize such sums, in accordance with the provisions of 29

1 U.S.C. 9a, to administer national and international lab-
2 oratory recognition programs that ensure the safety of
3 equipment and products used by workers in the workplace:
4 *Provided further*, That none of the funds appropriated
5 under this paragraph shall be obligated or expended to
6 prescribe, issue, administer, or enforce any standard, rule,
7 regulation, or order under the Occupational Safety and
8 Health Act of 1970 which is applicable to any person who
9 is engaged in a farming operation which does not maintain
10 a temporary labor camp and employs 10 or fewer employ-
11 ees: *Provided further*, That no funds appropriated under
12 this paragraph shall be obligated or expended to admin-
13 ister or enforce any standard, rule, regulation, or order
14 under the Occupational Safety and Health Act of 1970
15 with respect to any employer of 10 or fewer employees
16 who is included within a category having an occupational
17 injury lost workday case rate, at the most precise Stand-
18 ard Industrial Classification Code for which such data are
19 published, less than the national average rate as such
20 rates are most recently published by the Secretary, acting
21 through the Bureau of Labor Statistics, in accordance
22 with section 24 of that Act (29 U.S.C. 673), except—
23 (1) to provide, as authorized by such Act, con-
24 sultation, technical assistance, educational and train-
25 ing services, and to conduct surveys and studies;

1 (2) to conduct an inspection or investigation in
2 response to an employee complaint, to issue a cita-
3 tion for violations found during such inspection, and
4 to assess a penalty for violations which are not cor-
5 rected within a reasonable abatement period and for
6 any willful violations found;

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

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

11 (5) to take any action authorized by such Act
12 with respect to a report of an employment accident
13 which is fatal to one or more employees or which re-
14 sults in hospitalization of two or more employees,
15 and to take any action pursuant to such investiga-
16 tion authorized by such Act; and

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

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

1 MINE SAFETY AND HEALTH ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses for the Mine Safety and
4 Health Administration, \$244,747,000, including purchase
5 and bestowal of certificates and trophies in connection
6 with mine rescue and first-aid work, and the hire of pas-
7 senger motor vehicles; including up to \$1,000,000 for
8 mine rescue and recovery activities, which shall be avail-
9 able only to the extent that fiscal year 2001 obligations
10 for these activities exceed \$1,000,000; in addition, not to
11 exceed \$750,000 may be collected by the National Mine
12 Health and Safety Academy for room, board, tuition, and
13 the sale of training materials, otherwise authorized by law
14 to be collected, to be available for mine safety and health
15 education and training activities, notwithstanding 31
16 U.S.C. 3302; and, in addition, the Administration may re-
17 tain up to \$1,000,000 from fees collected for the approval
18 and certification of equipment, materials, and explosives
19 for use in mines, and may utilize such sums for such ac-
20 tivities; the Secretary is authorized to accept lands, build-
21 ings, equipment, and other contributions from public and
22 private sources and to prosecute projects in cooperation
23 with other agencies, Federal, State, or private; the Mine
24 Safety and Health Administration is authorized to pro-
25 mote health and safety education and training in the min-

1 ing community through cooperative programs with States,
 2 industry, and safety associations; and any funds available
 3 to the department may be used, with the approval of the
 4 Secretary, to provide for the costs of mine rescue and sur-
 5 vival operations in the event of a major disaster.

6 BUREAU OF LABOR STATISTICS

7 SALARIES AND EXPENSES

8 For necessary expenses for the Bureau of Labor Sta-
 9 tistics, including advances or reimbursements to State,
 10 Federal, and local agencies and their employees for serv-
 11 ices rendered, \$369,327,000, together with not to exceed
 12 \$67,257,000, which may be expended from the Employ-
 13 ment Security Administration account in the Unemploy-
 14 ment Trust Fund; and \$10,000,000 which shall be avail-
 15 able for obligation for the period July 1, 2001 through
 16 June 30, 2002, for Occupational Employment Statistics.

17 DEPARTMENTAL MANAGEMENT

18 SALARIES AND EXPENSES

19 For necessary expenses for Departmental Manage-
 20 ment, including the hire of three sedans, and including
 21 the management or operation, through contracts, grants
 22 or other arrangements, of Departmental bilateral and mul-
 23 tilateral foreign technical assistance, of which the funds
 24 designated to carry out bilateral assistance under the
 25 international child labor initiative shall be available for ob-

1 ligation through September 30, 2002, \$30,000,000 for the
2 acquisition of Departmental information technology, archi-
3 tecture, infrastructure, equipment, software and related
4 needs which will be allocated by the Department's Chief
5 Information Officer in accordance with the Department's
6 capital investment management process to assure a sound
7 investment strategy; \$337,964,000: *Provided*, That no
8 funds made available by this Act may be used by the Solie-
9 itor of Labor to participate in a review in any United
10 States court of appeals of any decision made by the Bene-
11 fits Review Board under section 21 of the Longshore and
12 Harbor Workers' Compensation Act (33 U.S.C. 921)
13 where such participation is precluded by the decision of
14 the United States Supreme Court in *Director, Office of*
15 *Workers' Compensation Programs v. Newport News Ship-*
16 *building*, 115 S. Ct. 1278 (1995), notwithstanding any
17 provisions to the contrary contained in Rule 15 of the Fed-
18 eral Rules of Appellate Procedure: *Provided further*, That
19 no funds made available by this Act may be used by the
20 Secretary of Labor to review a decision under the
21 Longshore and Harbor Workers' Compensation Act (33
22 U.S.C. 901 et seq.) that has been appealed and that has
23 been pending before the Benefits Review Board for more
24 than 12 months: *Provided further*, That any such decision
25 pending a review by the Benefits Review Board for more

1 than 1 year shall be considered affirmed by the Benefits
 2 Review Board on the 1-year anniversary of the filing of
 3 the appeal, and shall be considered the final order of the
 4 Board for purposes of obtaining a review in the United
 5 States courts of appeals: *Provided further*, That these pro-
 6 visions shall not be applicable to the review or appeal of
 7 any decision issued under the Black Lung Benefits Act
 8 (30 U.S.C. 901 et seq.): *Provided further*, That beginning
 9 in fiscal year 2001, there is established in the Department
 10 of Labor an office of disability employment policy which
 11 shall, under the overall direction of the Secretary, provide
 12 leadership, develop policy and initiatives, and award
 13 grants furthering the objective of eliminating barriers to
 14 the training and employment of people with disabilities.
 15 Such office shall be headed by an assistant secretary: *Pro-*
 16 *vided further*, That of amounts provided under this head,
 17 not more than \$23,002,000 is for this purpose.

18 VETERANS EMPLOYMENT AND TRAINING

19 Not to exceed \$186,913,000 may be derived from the
 20 Employment Security Administration account in the Un-
 21 employment Trust Fund to carry out the provisions of 38
 22 U.S.C. 4100–4110A, 4212, 4214, and 4321–4327, and
 23 Public Law 103–353, and which shall be available for obli-
 24 gation by the States through December 31, 2001. To
 25 carry out the Stewart B. McKinney Homeless Assistance
 26 Act and section 168 of the Workforce Investment Act of

1 1998, \$19,800,000, of which \$7,300,000 shall be available
2 for obligation for the period July 1, 2001, through June
3 30, 2002.

4 OFFICE OF INSPECTOR GENERAL

5 For salaries and expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended, \$50,015,000, together
8 with not to exceed \$4,770,000, which may be expended
9 from the Employment Security Administration account in
10 the Unemployment Trust Fund.

11 GENERAL PROVISIONS

12 SEC. 101. None of the funds appropriated in this title
13 for the Job Corps shall be used to pay the compensation
14 of an individual, either as direct costs or any proration
15 as an indirect cost, at a rate in excess of Executive Level
16 II.

17 (TRANSFER OF FUNDS)

18 SEC. 102. Not to exceed 1 percent of any discre-
19 tionary funds (pursuant to the Balanced Budget and
20 Emergency Deficit Control Act of 1985, as amended)
21 which are appropriated for the current fiscal year for the
22 Department of Labor in this Act may be transferred be-
23 tween appropriations, but no such appropriation shall be
24 increased by more than 3 percent by any such transfer:
25 *Provided*, That the Appropriations Committees of both

1 Houses of Congress are notified at least 15 days in ad-
2 vance of any transfer.

3 SEC. 103. EXTENDED DEADLINE FOR EXPENDI-
4 TURE. Section 403(a)(5)(C)(viii) of the Social Security Act
5 (42 U.S.C. 603(a)(5)(C)(viii)) (as amended by section
6 806(b) of the Departments of Labor, Health and Human
7 Services, and Education, and Related Agencies Appropria-
8 tions Act, 2000 (as enacted into law by section 1000(a)(4)
9 of Public Law 106–113)) is amended by striking “3
10 years” and inserting “5 years”.

11 SEC. 104. ELIMINATION OF SET-ASIDE OF PORTION
12 OF WELFARE-TO-WORK FUNDS FOR PERFORMANCE BO-
13 NUSES. (a) IN GENERAL.—Section 403(a)(5) of the Social
14 Security Act (as amended by section 806(b) of the Depart-
15 ments of Labor, Health and Human Services, and Edu-
16 cation, and Related Agencies Appropriations Act, 2000 (as
17 enacted into law by section 1000(a)(4) of Public Law 106–
18 113)) is amended by striking subparagraph (E) and redes-
19 ignating subparagraphs (F) through (K) as subpara-
20 graphs (E) through (J), respectively.

21 (b) CONFORMING AMENDMENTS.—The Social Secu-
22 rity Act (as amended by section 806(b) of the Depart-
23 ments of Labor, Health and Human Services, and Edu-
24 cation, and Related Agencies Appropriations Act, 2000 (as

1 enacted into law by section 1000(a)(4) of Public Law 106–
 2 113)) is further amended as follows:

3 (1) Section 403(a)(5)(A)(i) (42 U.S.C.
 4 603(a)(5)(A)(i)) is amended by striking “subpara-
 5 graph (I)” and inserting “subparagraph (H)”.

6 (2) Subclause (I) of each of subparagraphs
 7 (A)(iv) and (B)(v) of section 403(a)(5) (42 U.S.C.
 8 603(a)(5)(A)(iv)(I) and (B)(v)(I)) is amended—

9 (A) in item (aa)—

10 (i) by striking “(I)” and inserting
 11 “(H)”; and

12 (ii) by striking “(G), and (H)” and
 13 inserting “and (G)”; and

14 (B) in item (bb), by striking “(F)” and in-
 15 serting “(E)”.

16 (3) Section 403(a)(5)(B)(v) (42 U.S.C.
 17 603(a)(5)(B)(v)) is amended in the matter preceding
 18 subclause (I) by striking “(I)” and inserting “(H)”.

19 (4) Subparagraphs (E), (F), and (G)(i) of sec-
 20 tion 403(a)(5) (42 U.S.C. 603(a)(5)), as so redesign-
 21 ated by subsection (a) of this section, are each
 22 amended by striking “(I)” and inserting “(H)”.

23 (5) Section 412(a)(3)(A) (42 U.S.C.
 24 612(a)(3)(A)) is amended by striking “403(a)(5)(I)”
 25 and inserting “403(a)(5)(H)”.

13 TITLE II—DEPARTMENT OF HEALTH AND
14 HUMAN SERVICES

16 HEALTH RESOURCES AND SERVICES

S 2553 PCS

1 B of title VII of the Public Health Service Act, and of
2 which \$10,000,000 shall be available for the construction
3 and renovation of health care and other facilities, of which
4 \$25,000,000 from general revenues, notwithstanding sec-
5 tion 1820(j) of the Social Security Act, shall be available
6 for carrying out the Medicare rural hospital flexibility
7 grants program under section 1820 of such Act: *Provided*,
8 That the Division of Federal Occupational Health may
9 utilize personal services contracting to employ professional
10 management/administrative and occupational health pro-
11 fessionals: *Provided further*, That of the funds made avail-
12 able under this heading, \$250,000 shall be available until
13 expended for facilities renovations at the Gillis W. Long
14 Hansen's Disease Center: *Provided further*, That in addi-
15 tion to fees authorized by section 427(b) of the Health
16 Care Quality Improvement Act of 1986, fees shall be col-
17 lected for the full disclosure of information under the Act
18 sufficient to recover the full costs of operating the Na-
19 tional Practitioner Data Bank, and shall remain available
20 until expended to carry out that Act: *Provided further*,
21 That fees collected for the full disclosure of information
22 under the "Health Care Fraud and Abuse Data Collection
23 Program", authorized by section 221 of the Health Insur-
24 ance Portability and Accountability Act of 1996, shall be
25 sufficient to recover the full costs of operating the Pro-

1 gram, and shall remain available to carry out that Act
 2 until expended: *Provided further*, That no more than
 3 \$5,000,000 is available for carrying out the provisions of
 4 Public Law 104–73: *Provided further*, That of the funds
 5 made available under this heading, \$253,932,000 shall be
 6 for the program under title X of the Public Health Service
 7 Act to provide for voluntary family planning projects: *Pro-*
 8 *vided further*, That amounts provided to said projects
 9 under such title shall not be expended for abortions, that
 10 all pregnancy counseling shall be nondirective, and that
 11 such amounts shall not be expended for any activity (in-
 12 cluding the publication or distribution of literature) that
 13 in any way tends to promote public support or opposition
 14 to any legislative proposal or candidate for public office:
 15 *Provided further*, That \$538,000,000 shall be for State
 16 AIDS Drug Assistance Programs authorized by section
 17 2616 of the Public Health Service Act.

18 RICKY RAY HEMOPHILIA RELIEF FUND PROGRAM

19 For payment to the Ricky Ray Hemophilia Relief
 20 Fund, as provided by Public Law 105–369, \$85,000,000,
 21 of which \$10,000,000 shall be for program management.

22 HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

23 ACCOUNT

24 Such sums as may be necessary to carry out the pur-
 25 pose of the program, as authorized by title VII of the Pub-
 26 lic Health Service Act, as amended. For administrative ex-

1 penses to carry out the guaranteed loan program, includ-
 2 ing section 709 of the Public Health Service Act,
 3 \$3,679,000.

4 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

5 For payments from the Vaccine Injury Compensation
 6 Program Trust Fund, such sums as may be necessary for
 7 claims associated with vaccine-related injury or death with
 8 respect to vaccines administered after September 30,
 9 1988, pursuant to subtitle 2 of title XXI of the Public
 10 Health Service Act, to remain available until expended:
 11 *Provided*, That for necessary administrative expenses, not
 12 to exceed \$2,992,000 shall be available from the Trust
 13 Fund to the Secretary of Health and Human Services.

14 CENTERS FOR DISEASE CONTROL AND PREVENTION

15 DISEASE CONTROL, RESEARCH, AND TRAINING

16 To carry out titles II, III, VII, XI, XV, XVII, XIX
 17 and XXVI of the Public Health Service Act, sections 101,
 18 102, 103, 201, 202, 203, 301, and 501 of the Federal
 19 Mine Safety and Health Act of 1977, sections 20, 21, and
 20 22 of the Occupational Safety and Health Act of 1970,
 21 title IV of the Immigration and Nationality Act and sec-
 22 tion 501 of the Refugee Education Assistance Act of 1980;
 23 including insurance of official motor vehicles in foreign
 24 countries; and hire, maintenance, and operation of air-
 25 craft, \$3,204,496,000, of which \$175,000,000 shall re-
 26 main available until expended for the facilities master plan

1 for equipment and construction and renovation of facili-
2 ties, and in addition, such sums as may be derived from
3 authorized user fees, which shall be credited to this ac-
4 count: *Provided*, That in addition to amounts provided
5 herein, up to \$91,129,000 shall be available from amounts
6 available under section 241 of the Public Health Service
7 Act: *Provided further*, That none of the funds made avail-
8 able for injury prevention and control at the Centers for
9 Disease Control and Prevention may be used to advocate
10 or promote gun control: *Provided further*, That the Direc-
11 tor may redirect the total amount made available under
12 authority of Public Law 101–502, section 3, dated Novem-
13 ber 3, 1990, to activities the Director may so designate:
14 *Provided further*, That the Congress is to be notified
15 promptly of any such transfer: *Provided further*, That not
16 to exceed \$10,000,000 may be available for making grants
17 under section 1509 of the Public Health Service Act to
18 not more than 15 States: *Provided further*, That notwith-
19 standing any other provision of law, a single contract or
20 related contracts for development and construction of fa-
21 cilities may be employed which collectively include the full
22 scope of the project: *Provided further*, That the solicitation
23 and contract shall contain the clause “availability of
24 funds” found at 48. CFR 52.232–18.

1 NATIONAL INSTITUTES OF HEALTH

2 NATIONAL CANCER INSTITUTE

3 For carrying out section 301 and title IV of the Pub-
4 lic Health Service Act with respect to cancer,
5 \$3,804,084,000.

6 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

7 For carrying out section 301 and title IV of the Pub-
8 lic Health Service Act with respect to cardiovascular, lung,
9 and blood diseases, and blood and blood products,
10 \$2,328,102,000.

11 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL
12 RESEARCH

13 For carrying out section 301 and title IV of the Pub-
14 lic Health Service Act with respect to dental disease,
15 \$309,923,000.

16 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
17 KIDNEY DISEASES

18 For carrying out section 301 and title IV of the Pub-
19 lic Health Service Act with respect to diabetes and diges-
20 tive and kidney disease, \$1,318,106,000.

21 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
22 AND STROKE

23 For carrying out section 301 and title IV of the Pub-
24 lic Health Service Act with respect to neurological dis-
25 orders and stroke, \$1,189,425,000.

6 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

10 NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN
11 DEVELOPMENT

15 NATIONAL EYE INSTITUTE

19 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
20 SCIENCES

S 2553 PCS

1 NATIONAL INSTITUTE ON AGING

2 For carrying out section 301 and title IV of the Pub-
3 lic Health Service Act with respect to aging,
4 \$794,625,000.

5 NATIONAL INSTITUTE OF ARTHRITIS AND
6 MUSCULOSKELETAL AND SKIN DISEASES

7 For carrying out section 301 and title IV of the Pub-
8 lic Health Service Act with respect to arthritis and mus-
9 culoskeletal and skin diseases, \$401,161,000.

10 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
11 COMMUNICATION DISORDERS

12 For carrying out section 301 and title IV of the Pub-
13 lic Health Service Act with respect to deafness and other
14 communication disorders, \$303,541,000.

15 NATIONAL INSTITUTE OF NURSING RESEARCH

16 For carrying out section 301 and title IV of the Pub-
17 lic Health Service Act with respect to nursing research,
18 \$106,848,000.

19 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
20 ALCOHOLISM

21 For carrying out section 301 and title IV of the Pub-
22 lic Health Service Act with respect to alcohol abuse and
23 alcoholism, \$336,848,000.

1 NATIONAL INSTITUTE ON DRUG ABUSE

2 For carrying out section 301 and title IV of the Pub-
3 lic Health Service Act with respect to drug abuse,
4 \$790,038,000.

5 NATIONAL INSTITUTE OF MENTAL HEALTH

6 For carrying out section 301 and title IV of the Pub-
7 lic Health Service Act with respect to mental health,
8 \$1,117,928,000.

9 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

10 For carrying out section 301 and title IV of the Pub-
11 lic Health Service Act with respect to human genome re-
12 search, \$385,888,000.

13 NATIONAL CENTER FOR RESEARCH RESOURCES

14 For carrying out section 301 and title IV of the Pub-
15 lic Health Service Act with respect to research resources
16 and general research support grants, \$775,212,000: *Pro-*
17 *vided*, That none of these funds shall be used to pay recipi-
18 ents of the general research support grants program any
19 amount for indirect expenses in connection with such
20 grants: *Provided further*, That \$75,000,000 shall be for
21 extramural facilities construction grants.

22 NATIONAL CENTER FOR COMPLEMENTARY AND
23 ALTERNATIVE MEDICINE

24 For carrying out section 301 and title IV of the Pub-
25 lic Health Service Act with respect to complementary and
26 alternative medicine, \$100,089,000.

1 JOHN E. FOGARTY INTERNATIONAL CENTER

2 For carrying out the activities at the John E.
3 Fogarty International Center, \$61,260,000.

4 NATIONAL LIBRARY OF MEDICINE

5 For carrying out section 301 and title IV of the Pub-
6 lic Health Service Act with respect to health information
7 communications, \$256,953,000, of which \$4,000,000 shall
8 be available until expended for improvement of informa-
9 tion systems: *Provided*, That in fiscal year 2001, the Li-
10 brary may enter into personal services contracts for the
11 provision of services in facilities owned, operated, or con-
12 structed under the jurisdiction of the National Institutes
13 of Health.

14 OFFICE OF THE DIRECTOR

15 (INCLUDING TRANSFER OF FUNDS)

16 For carrying out the responsibilities of the Office of
17 the Director, National Institutes of Health, \$352,165,000,
18 of which \$48,271,000 shall be for the Office of AIDS Re-
19 search: *Provided*, That funding shall be available for the
20 purchase of not to exceed 20 passenger motor vehicles for
21 replacement only: *Provided further*, That the Director may
22 direct up to 1 percent of the total amount made available
23 in this or any other Act to all National Institutes of
24 Health appropriations to activities the Director may so
25 designate: *Provided further*, That no such appropriation
26 shall be decreased by more than 1 percent by any such

1 transfers and that the Congress is promptly notified of
 2 the transfer: *Provided further*, That the National Insti-
 3 tutes of Health is authorized to collect third party pay-
 4 ments for the cost of clinical services that are incurred
 5 in National Institutes of Health research facilities and
 6 that such payments shall be credited to the National Insti-
 7 tutes of Health Management Fund: *Provided further*, That
 8 all funds credited to the National Institutes of Health
 9 Management Fund shall remain available for one fiscal
 10 year after the fiscal year in which they are deposited: *Pro-*
 11 *vided further*, That up to \$500,000 shall be available to
 12 carry out section 499 of the Public Health Service Act:
 13 *Provided further*, That, notwithstanding section
 14 499(k)(10) of the Public Health Service Act, funds from
 15 the Foundation for the National Institutes of Health may
 16 be transferred to the National Institutes of Health.

17 BUILDINGS AND FACILITIES

18 For the study of, construction of, and acquisition of
 19 equipment for, facilities of or used by the National Insti-
 20 tutes of Health, including the acquisition of real property,
 21 \$148,900,000, to remain available until expended, of
 22 which \$47,300,000 shall be for the neuroscience research
 23 center: *Provided*, That notwithstanding any other provi-
 24 sion of law, a single contract or related contracts for the
 25 development and construction of the first phase of the Na-
 26 tional Neuroscience Research Center may be employed

1 which collectively include the full scope of the project: *Pro-*
 2 *vided further*, That the solicitation and contract shall con-
 3 tain the clause “availability of funds” found at 48 CFR
 4 52.232–18.

5 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES
 6 ADMINISTRATION

7 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

8 For carrying out titles V and XIX of the Public
 9 Health Service Act with respect to substance abuse and
 10 mental health services, the Protection and Advocacy for
 11 Mentally Ill Individuals Act of 1986, and section 301 of
 12 the Public Health Service Act with respect to program
 13 management, \$2,730,757,000: *Provided*, That in addition
 14 to amounts provided herein, \$12,000,000 shall be avail-
 15 able from amounts available under section 241 of the Pub-
 16 lic Health Services Act, to carry out the National House-
 17 hold Survey on Drug Abuse.

18 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY
 19 HEALTHCARE RESEARCH AND QUALITY

20 For carrying out titles III and IX of the Public
 21 Health Service Act, amounts received from Freedom of In-
 22 formation Act fees, reimbursable and interagency agree-
 23 ments, and the sale of data shall be credited to this appro-
 24 priation and shall remain available until expended: *Pro-*
 25 *vided*, That the amount made available pursuant to section

1 926(b) of the Public Health Service Act shall not exceed
2 \$269,943,000.

3 HEALTH CARE FINANCING ADMINISTRATION

4 GRANTS TO STATES FOR MEDICAID

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

8 For making, after May 31, 2001, payments to States
9 under title XIX of the Social Security Act for the last
10 quarter of fiscal year 2001 for unanticipated costs, in-
11 curred for the current fiscal year, such sums as may be
12 necessary.

13 For making payments to States or in the case of sec-
14 tion 1928 on behalf of States under title XIX of the Social
15 Security Act for the first quarter of fiscal year 2002,
16 \$36,207,551,000, to remain available until expended.

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

21 PAYMENTS TO HEALTH CARE TRUST FUNDS

22 For payment to the Federal Hospital Insurance and
23 the Federal Supplementary Medical Insurance Trust
24 Funds, as provided under sections 217(g) and 1844 of the
25 Social Security Act, sections 103(c) and 111(d) of the So-
26 cial Security Amendments of 1965, section 278(d) of Pub-

lie Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, \$70,381,600,000.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed \$2,018,500,000, to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the Public Health Service Act and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended, and together with administrative fees collected relative to Medicare overpayment recovery activities, which shall remain available until expended: *Provided*, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act shall be credited to and available for carrying out the purposes of this appropriation: *Provided further*, That \$18,000,000 appropriated under this heading for the managed care system redesign shall remain available until expended: *Provided further*, That \$3,000,000 of the amount

1 available for research, demonstration, and evaluation ac-
 2 tivities shall be available to continue carrying out dem-
 3 onstration projects on Medicaid coverage of community-
 4 based attendant care services for people with disabilities
 5 which ensures maximum control by the consumer to select
 6 and manage their attendant care services: *Provided fur-*
 7 *ther*, That the Secretary of Health and Human Services
 8 is directed to collect fees in fiscal year 2001 from Medi-
 9 care + Choice organizations pursuant to section
 10 1857(e)(2) of the Social Security Act and from eligible
 11 organizations with risk-sharing contracts under section
 12 1876 of that Act pursuant to section 1876(k)(4)(D) of
 13 that Act: *Provided further*, That administrative fees col-
 14 lected relative to Medicare overpayment recovery activities
 15 shall be transferred to the Health Care Fraud and Abuse
 16 Control (HCFAC) account, to be used for Medicare Integ-
 17 rity Program (MIP) activities in addition to the amounts
 18 already specified, and shall remain available until ex-
 19 pended.

20 ADMINISTRATION FOR CHILDREN AND FAMILIES

21 LOW INCOME HOME ENERGY ASSISTANCE

22 For making payments under title XXVI of the Omni-
 23 bus Reconciliation Act of 1981, \$300,000,000: *Provided*,
 24 That these funds are hereby designated by the Congress
 25 to be emergency requirements pursuant to section

1 251(b)(2)(A) of the Balanced Budget and Emergency
 2 Deficit Control Act of 1985: *Provided further*, That these
 3 funds shall be made available only after submission to the
 4 Congress of a formal budget request by the President that
 5 includes designation of the entire amount of the request
 6 as an emergency requirement as defined in such Act.

7 REFUGEE AND ENTRANT ASSISTANCE

8 For making payments for refugee and entrant assist-
 9 ance activities authorized by title IV of the Immigration
 10 and Nationality Act and section 501 of the Refugee Edu-
 11 cation Assistance Act of 1980 (Public Law 96–422),
 12 \$418,321,000, to remain available through September 30,
 13 2003.

14 For carrying out section 5 of the Torture Victims Re-
 15 lief Act of 1998 (Public Law 105–320), \$7,265,000.

16 PAYMENTS TO STATES FOR CHILD SUPPORT

17 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

18 For making payments to States or other non-Federal
 19 entities under titles I, IV–D, X, XI, XIV, and XVI of the
 20 Social Security Act and the Act of July 5, 1960 (24
 21 U.S.C. ch. 9), \$2,473,880,000, to remain available until
 22 expended; and for such purposes for the first quarter of
 23 fiscal year 2002, \$1,000,000,000, to remain available until
 24 expended.

25 For making payments to each State for carrying out
 26 the program of Aid to Families with Dependent Children

1 under title IV–A of the Social Security Act before the ef-
 2 fective date of the program of Temporary Assistance to
 3 Needy Families (TANF) with respect to such State, such
 4 sums as may be necessary: *Provided*, That the sum of the
 5 amounts available to a State with respect to expenditures
 6 under such title IV–A in fiscal year 1997 under this ap-
 7 propriation and under such title IV–A as amended by the
 8 Personal Responsibility and Work Opportunity Reconcili-
 9 ation Act of 1996 shall not exceed the limitations under
 10 section 116(b) of such Act.

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

18 PAYMENTS TO STATES FOR THE CHILD CARE AND
 19 DEVELOPMENT BLOCK GRANT

20 For carrying out sections 658A through 658R of the
 21 Omnibus Budget Reconciliation Act of 1981 (The Child
 22 Care and Development Block Grant Act of 1990), in addi-
 23 tion to amounts already appropriated for fiscal year 2001,
 24 \$817,328,000: *Provided*, That of the funds appropriated
 25 for fiscal year 2001, \$19,120,000 shall be available for
 26 child care resource and referral and school-aged child care

1 activities: *Provided further*, That of the funds appropriated
 2 for fiscal year 2001, in addition to the amounts required
 3 to be reserved by the States under section 658G,
 4 \$222,672,000 shall be reserved by the States for activities
 5 authorized under section 658G, of which \$60,000,000
 6 shall be for activities that improve the quality of infant
 7 and toddler child care.

8 SOCIAL SERVICES BLOCK GRANT

9 For making grants to States pursuant to section
 10 2002 of the Social Security Act, \$600,000,000: *Provided*,
 11 That notwithstanding section 2003(c) of such Act, as
 12 amended, the amount specified for allocation under such
 13 section for fiscal year 2001 shall be \$600,000,000.

14 CHILDREN AND FAMILIES SERVICES PROGRAMS
 15 (INCLUDING RESCISSIONS)

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

1 cial Security Act, and title IV of Public Law 105–285;
 2 and for necessary administrative expenses to carry out
 3 said Acts and titles I, IV, X, XI, XIV, XVI, and XX of
 4 the Social Security Act, the Act of July 5, 1960 (24
 5 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of
 6 1981, title IV of the Immigration and Nationality Act, sec-
 7 tion 501 of the Refugee Education Assistance Act of 1980,
 8 section 5 of the Torture Victims Relief Act of 1998 (Public
 9 Law 105–320), sections 40155, 40211, and 40241 of Pub-
 10 lic Law 103–322 and section 126 and titles IV and V of
 11 Public Law 100–485, \$7,881,586,000, of which
 12 \$41,791,000, to remain available until September 30,
 13 2002, shall be for grants to States for adoption incentive
 14 payments, as authorized by section 473A of title IV of the
 15 Social Security Act (42 U.S.C. 670–679); of which
 16 \$134,074,000, to remain available until expended, shall be
 17 for activities authorized by sections 40155, 40211, and
 18 40241 of Public Law 103–322; of which \$606,676,000
 19 shall be for making payments under the Community Serv-
 20 ices Block Grant Act; and of which \$6,267,000,000 shall
 21 be for making payments under the Head Start Act, of
 22 which \$1,400,000,000 shall become available October 1,
 23 2001 and remain available through September 30, 2002:
 24 *Provided*, That to the extent Community Services Block
 25 Grant funds are distributed as grant funds by a State to

1 an eligible entity as provided under the Act, and have not
 2 been expended by such entity, they shall remain with such
 3 entity for carryover into the next fiscal year for expendi-
 4 ture by such entity consistent with program purposes: *Pro-*
 5 *vided further*, That the Secretary shall establish proce-
 6 dures regarding the disposition of intangible property
 7 which permits grant funds, or intangible assets acquired
 8 with funds authorized under section 680 of the Commu-
 9 nity Services Block Grant Act, as amended, to become the
 10 sole property of such grantees after a period of not more
 11 than 12 years after the end of the grant for purposes and
 12 uses consistent with the original grant.

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

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

19 PROMOTING SAFE AND STABLE FAMILIES

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

22 PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION

23 ASSISTANCE

24 For making payments to States or other non-Federal
 25 entities under title IV–E of the Social Security Act,
 26 \$4,868,100,000.

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

4 ADMINISTRATION ON AGING

5 AGING SERVICES PROGRAMS

6 For carrying out, to the extent not otherwise pro-
 7 vided, the Older Americans Act of 1965, as amended, and
 8 section 398 of the Public Health Service Act,
 9 \$954,619,000: *Provided*, That notwithstanding section
 10 308(b)(1) of the Older Americans Act of 1965, as amend-
 11 ed, the amounts available to each State for administration
 12 of the State plan under title III of such Act shall be re-
 13 duced not more than 5 percent below the amount that was
 14 available to such State for such purpose for fiscal year
 15 1995: *Provided further*, That in considering grant applica-
 16 tions for nutrition services for elder Indian recipients, the
 17 Assistant Secretary shall provide maximum flexibility to
 18 applicants who seek to take into account subsistence, local
 19 customs, and other characteristics that are appropriate to
 20 the unique cultural, regional, and geographic needs of the
 21 American Indian, Alaska and Hawaiian Native commu-
 22 nities to be served.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out titles III, XVII, and XX of the Public Health Service Act, and the United States-Mexico Border Health Commission Act, \$206,766,000, together with \$5,851,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund: *Provided further*, That of the funds made available under this heading for carrying out title XX of the Public Health Service Act, \$10,569,000 shall be for activities specified under section 2003(b)(2), of which \$9,131,000 shall be for prevention service demonstration grants under section 510(b)(2) of title V of the Social Security Act, as amended, without application of the limitation of section 2010(c) of said title XX.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$33,849,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, \$20,742,000, together with not to exceed

1 \$3,314,000, to be transferred and expended as authorized
 2 by section 201(g)(1) of the Social Security Act from the
 3 Hospital Insurance Trust Fund and the Supplemental
 4 Medical Insurance Trust Fund.

5 POLICY RESEARCH

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

9 RETIREMENT PAY AND MEDICAL BENEFITS FOR
 10 COMMISSIONED OFFICERS

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

20 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
 21 FUND

22 For public health and social services, \$264,600,000.

23 GENERAL PROVISIONS

24 SEC. 201. Funds appropriated in this title shall be
 25 available for not to exceed \$37,000 for official reception

1 and representation expenses when specifically approved by
2 the Secretary.

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

10 SEC. 203. None of the funds appropriated under this
11 Act may be used to implement section 399L(b) of the Pub-
12 lic Health Service Act or section 1503 of the National In-
13 stitutes of Health Revitalization Act of 1993, Public Law
14 103-43.

15 SEC. 204. None of the funds appropriated in this Act
16 for the National Institutes of Health and the Substance
17 Abuse and Mental Health Services Administration shall
18 be used to pay the salary of an individual, through a grant
19 or other extramural mechanism, at a rate in excess of Ex-
20 ecutive Level II.

21 SEC. 205. Notwithstanding section 241(a) of the
22 Public Health Service Act, such portion as the Secretary
23 shall determine, but not more than 1.6 percent, of any
24 amounts appropriated for programs authorized under the
25 PHS Act shall be made available for the evaluation (di-

1 rectly or by grants or contracts) of the implementation
2 and effectiveness of such programs.

3 (TRANSFER OF FUNDS)

4 SEC. 206. Not to exceed 1 percent of any discre-
5 tionary funds (pursuant to the Balanced Budget and
6 Emergency Deficit Control Act of 1985, as amended)
7 which are appropriated for the current fiscal year for the
8 Department of Health and Human Services in this Act
9 may be transferred between appropriations, but no such
10 appropriation shall be increased by more than 3 percent
11 by any such transfer: *Provided*, That the Appropriations
12 Committees of both Houses of Congress are notified at
13 least 15 days in advance of any transfer.

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

21 SEC. 208. Of the amounts made available in this Act
22 for the National Institutes of Health, the amount for re-
23 search related to the human immunodeficiency virus, as
24 jointly determined by the Director of the National Insti-
25 tutes of Health and the Director of the Office of AIDS
26 Research, shall be made available to the “Office of AIDS

1 Research” account. The Director of the Office of AIDS
 2 Research shall transfer from such account amounts nec-
 3 essary to carry out section 2353(d)(3) of the Public
 4 Health Service Act.

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

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

1 care program's coverage for such services and a
2 Medicare+Choice organization described in this section
3 shall be responsible for informing enrollees where to obtain
4 information about all Medicare covered services.

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

8 “(b) MINIMUM ALLOTMENTS FOR STATES.—Each
9 State's allotment for fiscal year 2001 for programs under
10 this subpart shall not be less than such State's allotment
11 for such programs for fiscal year 2000.”.

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

15 “(b) MINIMUM ALLOTMENTS FOR STATES.—Each
16 State's allotment for fiscal year 2001 for programs under
17 this subpart shall not be less than such State's allotment
18 for such programs for fiscal year 2000.”.

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

24 SEC. 213. EXTENSION OF CERTAIN ADJUDICATION
25 PROVISIONS.—The Foreign Operations, Export Finance-

ing, and Related Programs Appropriations Act, 1990
(Public Law 101–167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking
“1997, 1998, 1999, and 2000” and inserting
“1997, 1998, 1999, 2000 and 2001”; and

(B) in subsection (e), by striking “October
1, 2000” each place it appears and inserting
“October 1, 2001”; and

(2) in section 599E (8 U.S.C. 1255 note) in
subsection (b)(2), by striking “September 30, 2000”
and inserting “September 30, 2001”.

SEC. 214. None of the funds provided in this Act or
in any other Act making appropriations for fiscal year
2001 may be used to administer or implement in Arizona
or in the Kansas City, Missouri or in the Kansas City,
Kansas area the Medicare Competitive Pricing Dem-
onstration Project (operated by the Secretary of Health
and Human Services).

SEC. 215. WITHHOLDING OF SUBSTANCE ABUSE
FUNDS. (a) IN GENERAL.—None of the funds appro-
priated by this Act may be used to withhold substance
abuse funding from a State pursuant to section 1926 of
the Public Health Service Act (42 U.S.C. 300x–26) if such
State certifies to the Secretary of Health and Human

1 Services by December 15, 2000 that the State will commit
2 additional State funds, in accordance with subsection (b),
3 to ensure compliance with State laws prohibiting the sale
4 of tobacco products to individuals under 18 years of age.

5 (b) AMOUNT OF STATE FUNDS.—The amount of
6 funds to be committed by a State under subsection (a)
7 shall be equal to 1 percent of such State’s substance abuse
8 block grant allocation for each percentage point by which
9 the State misses the retailer compliance rate goal estab-
10 lished by the Secretary of Health and Human Services
11 under section 1926 of such Act.

12 (c) ADDITIONAL STATE FUNDS.—The State is to
13 maintain State expenditures in fiscal year 2001 for to-
14 bacco prevention programs and for compliance activities
15 at a level that is not less than the level of such expendi-
16 tures maintained by the State for fiscal year 2000, and
17 adding to that level the additional funds for tobacco com-
18 pliance activities required under subsection (a). The State
19 is to submit a report to the Secretary on all fiscal year
20 2000 State expenditures and all fiscal year 2001 obliga-
21 tions for tobacco prevention and compliance activities by
22 program activity by July 31, 2001.

23 (d) ENFORCEMENT OF STATE OBLIGATIONS.—The
24 Secretary shall exercise discretion in enforcing the timing
25 of the State obligation of the additional funds required

1 by the certification described in subsection (a) as late as
2 July 31, 2000.

3 SEC. 216. Section 403(a)(3) of the Social Security
4 Act (42 U.S.C. 603(a)(3)) is amended—

5 (1) in subparagraph (A)—

6 (A) in clause (i), by striking “and” at the
7 end;

8 (B) in clause (ii)—

9 (i) by striking “1999, 2000, and
10 2001” and inserting “1999 and 2000”;
11 and

12 (ii) by striking the period at the end
13 and inserting “; and”; and

14 (C) by adding at the end the following new
15 clause:

16 “(iii) for fiscal year 2001, a grant in
17 an amount equal to the amount of the
18 grant to the State under clause (i) for fis-
19 cal year 1998.” and

20 (2) in subparagraph (G), by inserting at the
21 end, “Upon enactment, the provisions of this Act
22 that would have been estimated by the Director of
23 the Office of Management and Budget as changing
24 direct spending and receipts for fiscal year 2001
25 under section 252 of the Balanced Budget and

1 Emergency Deficit Control Act of 1985 (Public Law
2 99–177), to the extent such changes would have
3 been estimated to result in savings in fiscal year
4 2001 of \$240,000,000 in budget authority and
5 \$122,000,000 in outlays, shall be treated as if en-
6 acted in an appropriations act pursuant to Rule 3 of
7 the Budget Scorekeeping Guidelines set forth in the
8 Joint Explanatory Statement of the Committee of
9 Conference accompanying Conference Report No.
10 105–217, thereby changing discretionary spending
11 under section 251 of that Act.”.

12 SEC. 217. (a) Notwithstanding Section 2104(f) of the
13 Social Security Act (the Act), the Secretary of Health and
14 Human Services shall reduce the amounts allotted to a
15 State under subsection (b) of the Act for fiscal year 1998
16 by the applicable amount with respect to the State; and

17 (b) Notwithstanding Section 2104(a) of the Act, the
18 Secretary shall increase the amount otherwise payable to
19 each State under such subsection for fiscal year 2003 by
20 the amount of the reduction made under paragraph (a)
21 of this section. Funds made available under this sub-
22 section shall remain available through September 30,
23 2004.

24 (c) APPLICABLE AMOUNT DEFINED.—In subsection
25 (a), with respect to a State, the term “applicable amount”

1 means, with respect to a State, an amount bearing the
 2 same proportion to \$1,900,000,000 as the unexpended
 3 balance of its fiscal year 1998 allotment as of September
 4 30, 2000, which would otherwise be redistributed to States
 5 in fiscal year 2001 under Section 2104(f) of the Act, bears
 6 to the sum of the unexpended balances of fiscal year 1998
 7 allotments for all States as of September 30, 2000: *Pro-*
 8 *vided*, That, the applicable amount for a State shall not
 9 exceed the unexpended balance of its fiscal year 1998 al-
 10 lotment as of September 30, 2000.

11 TITLE III—DEPARTMENT OF EDUCATION

12 OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

13 EDUCATION REFORM

14 For carrying out activities authorized by title IV of
 15 the Goals 2000: Educate America Act as in effect prior
 16 to September 30, 2000, and sections 3122, 3132, 3136,
 17 and 3141, parts B, C, and D of title III, and part I of
 18 title X of the Elementary and Secondary Education Act
 19 of 1965, \$1,434,500,000, of which \$40,000,000 shall be
 20 for the Goals 2000: Educate America Act, and of which
 21 \$192,000,000 shall be for section 3122: *Provided*, That
 22 up to one-half of 1 percent of the amount available under
 23 section 3132 shall be set aside for the outlying areas, to
 24 be distributed on the basis of their relative need as deter-
 25 mined by the Secretary in accordance with the purposes

1 of the program: *Provided further*, That if any State edu-
 2 cational agency does not apply for a grant under section
 3 3132, that State's allotment under section 3131 shall be
 4 reserved by the Secretary for grants to local educational
 5 agencies in that State that apply directly to the Secretary
 6 according to the terms and conditions published by the
 7 Secretary in the Federal Register: *Provided further*, That,
 8 notwithstanding part I of title X of the Elementary and
 9 Secondary Education Act of 1965 or any other provision
 10 of law, a community-based organization that has experi-
 11 ence in providing before- and after-school services shall be
 12 eligible to receive a grant under that part, on the same
 13 basis as a school or consortium described in section 10904
 14 of that Act, and the Secretary shall give priority to any
 15 application for such a grant that is submitted jointly by
 16 such a community-based organization and such a school
 17 or consortium.

18 EDUCATION FOR THE DISADVANTAGED

19 For carrying out title I of the Elementary and Sec-
 20 ondary Education Act of 1965, and section 418A of the
 21 Higher Education Act of 1965, \$8,986,800,000, of which
 22 \$2,729,958,000 shall become available on July 1, 2001,
 23 and shall remain available through September 30, 2002,
 24 and of which \$6,223,342,000 shall become available on
 25 October 1, 2001 and shall remain available through Sep-
 26 tember 30, 2002, for academic year 2000–2001: *Provided*,

1 That \$7,113,403,000 shall be available for basic grants
2 under section 1124: *Provided further*, That up to
3 \$3,500,000 of these funds shall be available to the Sec-
4 retary on October 1, 2000, to obtain updated local edu-
5 cational agency level census poverty data from the Bureau
6 of the Census: *Provided further*, That \$1,222,397,000
7 shall be available for concentration grants under section
8 1124A: *Provided further*, That grant awards under sec-
9 tions 1124 and 1124A of title I of the Elementary and
10 Secondary Education Act of 1965 shall be made to each
11 State and local educational agency at no less than 100
12 percent of the amount such State or local educational
13 agency received under this authority for fiscal year 2000:
14 *Provided further*, That notwithstanding any other provi-
15 sion of law, grant awards under section 1124A of title I
16 of the Elementary and Secondary Education Act of 1965
17 shall be made to those local educational agencies that re-
18 ceived a Concentration Grant under the Department of
19 Education Appropriations Act, 2000, but are not eligible
20 to receive such a grant for fiscal year 2001: *Provided fur-*
21 *ther*, That each such local educational agency shall receive
22 an amount equal to the Concentration Grant the agency
23 received in fiscal year 2000, ratably reduced, if necessary,
24 to ensure that these local educational agencies receive no
25 greater share of their hold-harmless amounts than other

1 local educational agencies: *Provided further*, That notwith-
 2 standing any other provision of law, in calculating the
 3 amount of Federal assistance awarded to a State or local
 4 educational agency under any program under title I of the
 5 Elementary and Secondary Education Act of 1965 (20
 6 U.S.C. 6301 et seq.) on the basis of a formula described
 7 in section 1124 or 1124A of such Act (20 U.S.C. 6333,
 8 6334), any funds appropriated for the program in excess
 9 of the amount appropriated for the program for fiscal year
 10 2000 shall be awarded according to the formula, except
 11 that, for such purposes, the formula shall be applied only
 12 to States or local educational agencies that experience a
 13 reduction under the program for fiscal year 2001 as a re-
 14 sult of the application of the 100 percent hold harmless
 15 provisions under the heading “Education for the Dis-
 16 advantaged”: *Provided further*, That the Secretary shall
 17 not take into account the hold harmless provisions in this
 18 section in determining State allocations under any other
 19 program administered by the Secretary in any fiscal year.

20 IMPACT AID

21 For carrying out programs of financial assistance to
 22 federally affected schools authorized by title VIII of the
 23 Elementary and Secondary Education Act of 1965,
 24 \$1,030,000,000, of which \$818,000,000 shall be for basic
 25 support payments under section 8003(b), \$50,000,000
 26 shall be for payments for children with disabilities under

1 section 8003(d), \$82,000,000, to remain available until
 2 expended, shall be for payments under section 8003(f),
 3 \$25,000,000 shall be for construction under section 8007,
 4 \$47,000,000 shall be for Federal property payments under
 5 section 8002 and \$8,000,000 to remain available until ex-
 6 pended shall be for facilities maintenance under section
 7 8008.

8 SCHOOL IMPROVEMENT PROGRAMS

9 For carrying out school improvement activities au-
 10 thorized by titles II, IV, V–A and B, VI, IX, X, and XIII
 11 of the Elementary and Secondary Education Act of 1965
 12 (“ESEA”); the Stewart B. McKinney Homeless Assist-
 13 ance Act; and the Civil Rights Act of 1964 and part B
 14 of title VIII of the Higher Education Act of 1965;
 15 \$4,672,534,000, of which \$1,100,200,000 shall become
 16 available on July 1, 2001, and remain available through
 17 September 30, 2002, and of which \$2,915,000,000 shall
 18 become available on October 1, 2001 and shall remain
 19 available through September 30, 2002 for academic year
 20 2001–2002: *Provided*, That of the amount appropriated,
 21 \$435,000,000 shall be for Eisenhower professional devel-
 22 opment State grants under title II–B and \$3,100,000,000
 23 shall be for title VI and up to \$750,000 shall be for an
 24 evaluation of comprehensive regional assistance centers
 25 under title XIII of ESEA: *Provided further*, That of the
 26 amount made available for Title VI, \$2,700,000,000 shall

1 be available, notwithstanding any other provision of law,
 2 for purposes consistent with title VI to be determined by
 3 the local education agency as part of a local strategy for
 4 improving academic achievement: *Provided further*, That
 5 these funds may also be used to address the shortage of
 6 highly qualified teachers to reduce class size, particularly
 7 in early grades, using highly qualified teachers to improve
 8 educational achievement for regular and special needs chil-
 9 dren; to support efforts to recruit, train and retrain highly
 10 qualified teachers or for school construction and renova-
 11 tion of facilities, at the sole discretion of the local edu-
 12 cational agency.

13 READING EXCELLENCE

14 For necessary expenses to carry out the Reading Ex-
 15 cellence Act, \$91,000,000, which shall become available on
 16 July 1, 2001 and shall remain available through Sep-
 17 tember 30, 2002 and \$195,000,000 which shall become
 18 available on October 1, 2001 and remain available through
 19 September 30, 2002.

20 INDIAN EDUCATION

21 For expenses necessary to carry out, to the extent
 22 not otherwise provided, title IX, part A of the Elementary
 23 and Secondary Education Act of 1965, as amended,
 24 \$115,500,000.

1 OFFICE OF BILINGUAL EDUCATION AND MINORITY
 2 LANGUAGES AFFAIRS
 3 BILINGUAL AND IMMIGRANT EDUCATION

4 For carrying out, to the extent not otherwise pro-
 5 vided, bilingual, foreign language and immigrant edu-
 6 cation activities authorized by parts A and C and section
 7 7203 of title VII of the Elementary and Secondary Edu-
 8 cation Act of 1965, without regard to section 7103(b),
 9 \$443,000,000: *Provided*, That State educational agencies
 10 may use all, or any part of, their part C allocation for
 11 competitive grants to local educational agencies.

12 OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE
 13 SERVICES
 14 SPECIAL EDUCATION

15 For carrying out the Individuals with Disabilities
 16 Education Act, \$7,352,341,000, of which \$2,464,452,000
 17 shall become available for obligation on July 1, 2001, and
 18 shall remain available through September 30, 2002, and
 19 of which \$4,624,000,000 shall become available on Octo-
 20 ber 1, 2001 and shall remain available through September
 21 30, 2002, for academic year 2001–2002: *Provided*, That
 22 \$1,500,000 shall be for the recipient of funds provided by
 23 Public Law 105–78 under section 687(b)(2)(G) of the Act
 24 to provide information on diagnosis, intervention, and
 25 teaching strategies for children with disabilities: *Provided*

1 *further*, That the amount for section 611(c) of the Act
2 shall be equal to the amount available for that section
3 under Public Law 106–113, increased by the rate of infla-
4 tion as specified in section 611(f)(1)(B)(ii) of the Act.

5 REHABILITATION SERVICES AND DISABILITY RESEARCH

6 For carrying out, to the extent not otherwise pro-
7 vided, the Rehabilitation Act of 1973, the Assistive Tech-
8 nology Act of 1998, and the Helen Keller National Center
9 Act, \$2,799,519,000: *Provided*, That notwithstanding sec-
10 tion 105(b)(1) of the Assistive Technology Act of 1998
11 (“the AT Act”), each State shall be provided \$50,000 for
12 activities under section 102 of the AT Act: *Provided fur-*
13 *ther*, That notwithstanding section 105(b)(1) and section
14 101(f)(2) and (3) of the Assistive Technology Act of 1998,
15 each State shall be provided a minimum of \$500,000 for
16 activities under section 101: *Provided further*, That
17 \$7,000,000 shall be used to support grants for up to three
18 years to states under title III of the AT Act, of which
19 the Federal share shall not exceed 75 percent in the first
20 year, 50 percent in the second year, and 25 percent in
21 the third year, and that the requirements in section
22 301(c)(2) and section 302 of that Act shall not apply to
23 such grants.

1 SPECIAL INSTITUTIONS FOR PERSONS WITH
2 DISABILITIES
3 AMERICAN PRINTING HOUSE FOR THE BLIND

4 For carrying out the Act of March 3, 1879, as
5 amended (20 U.S.C. 101 et seq.), \$12,500,000.

6 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

7 For the National Technical Institute for the Deaf
8 under titles I and II of the Education of the Deaf Act
9 of 1986 (20 U.S.C. 4301 et seq.), \$54,366,000, of which
10 \$7,176,000 shall be for construction and shall remain
11 available until expended: *Provided*, That from the total
12 amount available, the Institute may at its discretion use
13 funds for the endowment program as authorized under
14 section 207.

15 GALLAUDET UNIVERSITY

16 For the Kendall Demonstration Elementary School,
17 the Model Secondary School for the Deaf, and the partial
18 support of Gallaudet University under titles I and II of
19 the Education of the Deaf Act of 1986 (20 U.S.C. 4301
20 et seq.), \$87,650,000: *Provided*, That from the total
21 amount available, the University may at its discretion use
22 funds for the endowment program as authorized under
23 section 207.

1 OFFICE OF VOCATIONAL AND ADULT EDUCATION

2 VOCATIONAL AND ADULT EDUCATION

3 For carrying out, to the extent not otherwise pro-
4 vided, the Carl D. Perkins Vocational and Technical Edu-
5 cation Act, the Adult Education and Family Literacy Act,
6 and title VIII–D of the Higher Education Act of 1965,
7 as amended, and Public Law 102–73, \$1,726,600,000, of
8 which \$1,000,000 shall remain available until expended,
9 and of which \$929,000,000 shall become available on July
10 1, 2001 and shall remain available through September 30,
11 2002 and of which \$791,000,000 shall become available
12 on October 1, 2001 and shall remain available through
13 September 30, 2002: *Provided*, That of the amounts made
14 available for the Carl D. Perkins Vocational and Technical
15 Education Act, \$5,600,000 shall be for tribally controlled
16 postsecondary vocational and technical institutions under
17 section 117: *Provided further*, That \$9,000,000 shall be
18 for carrying out section 118 of such Act: *Provided further*,
19 That up to 15 percent of the funds provided may be used
20 by the national entity designated under section 118(a) to
21 cover the cost of authorized activities and operations, in-
22 cluding Federal salaries and expenses: *Provided further*,
23 That the national entity is authorized, effective upon en-
24 actment, to charge fees for publications, training, and
25 technical assistance developed by that national entity: *Pro-*

1 *vided further*, That revenues received from publications
 2 and delivery of technical assistance and training, notwith-
 3 standing 31 U.S.C. 3302, may be credited to the national
 4 entity's account and shall be available to the national enti-
 5 ty, without fiscal year limitation, so long as such revenues
 6 are used for authorized activities and operations of the
 7 national entity: *Provided further*, That of the funds made
 8 available to carry out section 204 of the Perkins Act, all
 9 funds that a State receives in excess of its prior-year allo-
 10 cation shall be competitively awarded: *Provided further*,
 11 That in making these awards, each State shall give pri-
 12 ority to consortia whose applications most effectively inte-
 13 grate all components under section 204(c): *Provided fur-*
 14 *ther*, That of the amounts made available for the Carl D.
 15 Perkins Vocational and Technical Education Act,
 16 \$5,000,000 shall be for demonstration activities author-
 17 ized by section 207: *Provided further*, That of the amounts
 18 made available for the Adult Education and Family Lit-
 19 eracy Act, \$14,000,000 shall be for national leadership ac-
 20 tivities under section 243 and \$6,500,000 shall be for the
 21 National Institute for Literacy under section 242: *Pro-*
 22 *vided further*, That \$22,000,000 shall be for Youth Of-
 23 fender Grants, of which \$5,000,000 shall be used in ac-
 24 cordance with section 601 of Public Law 102-73 as that
 25 section was in effect prior to the enactment of Public Law

1 105–220: *Provided further*, That of the amounts made
 2 available for title I of the Perkins Act, the Secretary may
 3 reserve up to 0.54 percent for incentive grants under sec-
 4 tion 503 of the Workforce Investment Act, without regard
 5 to section 111(a)(1)(C) of the Perkins Act: *Provided fur-*
 6 *ther*, That of the amounts made available for the Adult
 7 Education and Family Literacy Act, the Secretary may
 8 reserve up to 0.54 percent for incentive grants under sec-
 9 tion 503 of the Workforce Investment Act, without regard
 10 to section 211(a)(3) of the Adult Education and Family
 11 Literacy Act.

12 OFFICE OF STUDENT FINANCIAL ASSISTANCE

13 STUDENT FINANCIAL ASSISTANCE

14 For carrying out subparts 1, 3 and 4 of part A, part
 15 C and part E of title IV of the Higher Education Act of
 16 1965, as amended, \$10,624,000,000, which shall remain
 17 available through September 30, 2002.

18 The maximum Pell Grant for which a student shall
 19 be eligible during award year 2001–2002 shall be \$3,650:
 20 *Provided*, That notwithstanding section 401(g) of the Act,
 21 if the Secretary determines, prior to publication of the
 22 payment schedule for such award year, that the amount
 23 included within this appropriation for Pell Grant awards
 24 in such award year, and any funds available from the fis-
 25 cal year 2000 appropriation for Pell Grant awards, are

1 insufficient to satisfy fully all such awards for which stu-
 2 dents are eligible, as calculated under section 401(b) of
 3 the Act, the amount paid for each such award shall be
 4 reduced by either a fixed or variable percentage, or by a
 5 fixed dollar amount, as determined in accordance with a
 6 schedule of reductions established by the Secretary for this
 7 purpose.

8 FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

9 For Federal administrative expenses to carry out
 10 guaranteed student loans authorized by title IV, part B,
 11 of the Higher Education Act of 1965, as amended,
 12 \$48,000,000.

13 OFFICE OF POSTSECONDARY EDUCATION

14 HIGHER EDUCATION

15 For carrying out, to the extent not otherwise pro-
 16 vided, section 121 and titles II, III, IV, V, VI, VII, and
 17 VIII of the Higher Education Act of 1965, as amended,
 18 and the Mutual Educational and Cultural Exchange Act
 19 of 1961; \$1,694,520,000, of which \$10,000,000 for inter-
 20 est subsidies authorized by section 121 of the Higher Edu-
 21 cation Act of 1965, shall remain available until expended:
 22 *Provided*, That \$11,000,000, to remain available through
 23 September 30, 2002, shall be available to fund fellowships
 24 under part A, subpart 1 of title VII of said Act, of which
 25 up to \$1,000,000 shall be available to fund fellowships for
 26 academic year 2001–2002, and the remainder shall be

For partial support of Howard University (20 U.S.C. 121 et seq.), \$224,000,000, of which not less than \$3,530,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act (Public Law 98-480) and shall remain available until expended.

20 For Federal administrative expenses authorized
21 under section 121 of the Higher Education Act of 1965,
22 \$737,000 to carry out activities related to existing facility
23 loans entered into under the Higher Education Act of
24 1965.

1 HISTORICALLY BLACK COLLEGE AND UNIVERSITY
 2 CAPITAL FINANCING PROGRAM ACCOUNT

3 The total amount of bonds insured pursuant to sec-
 4 tion 344 of title III, part D of the Higher Education Act
 5 of 1965 shall not exceed \$357,000,000, and the cost, as
 6 defined in section 502 of the Congressional Budget Act
 7 of 1974, of such bonds shall not exceed zero.

8 For administrative expenses to carry out the Histori-
 9 cally Black College and University Capital Financing Pro-
 10 gram entered into pursuant to title III, part D of the
 11 Higher Education Act of 1965, as amended, \$208,000.

12 OFFICE OF EDUCATIONAL RESEARCH AND
 13 IMPROVEMENT

14 EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

15 For carrying out activities authorized by the Edu-
 16 cational Research, Development, Dissemination, and Im-
 17 provement Act of 1994, including part E; the National
 18 Education Statistics Act of 1994, including sections 411
 19 and 412; section 2102 of title II, and parts A, B, and
 20 K and section 10102, section 10105, and 10601 of title
 21 X, and part C of title XIII of the Elementary and Sec-
 22 ondary Education Act of 1965, as amended, and title VI
 23 of Public Law 103–227, \$496,519,000: *Provided*, That of
 24 the funds appropriated under section 10601 of title X of
 25 the Elementary and Secondary Education Act of 1965, as

1 amended, \$1,500,000 shall be used to conduct a violence
2 prevention demonstration program: *Provided further*, That
3 \$40,000,000 of the funds provided for the national edu-
4 cation research institutes shall be allocated notwith-
5 standing section 912(m)(1)(B–F) and subparagraphs (B)
6 and (C) of section 931(c)(2) of Public Law 103–227: *Pro-*
7 *vided further*, That of the funds available for section
8 10601 of title X of the Elementary and Secondary Edu-
9 cation Act of 1965, as amended, \$150,000 shall be award-
10 ed to the Center for Educational Technologies to complete
11 production and distribution of an effective CD–ROM prod-
12 uct that would complement the “We the People: The Cit-
13 izen and the Constitution” curriculum: *Provided further*,
14 That, in addition to the funds for title VI of Public Law
15 103–227 and notwithstanding the provisions of section
16 601(c)(1)(C) of that Act, \$1,000,000 shall be available to
17 the Center for Civic Education to conduct a civic edu-
18 cation program with Northern Ireland and the Republic
19 of Ireland and, consistent with the civics and Government
20 activities authorized in section 601(c)(3) of Public Law
21 103–227, to provide civic education assistance to democ-
22 racies in developing countries. The term “developing coun-
23 tries” shall have the same meaning as the term “devel-
24 oping country” in the Education for the Deaf Act.

1 DEPARTMENTAL MANAGEMENT

2 PROGRAM ADMINISTRATION

3 For carrying out, to the extent not otherwise pro-
4 vided, the Department of Education Organization Act, in-
5 cluding rental of conference rooms in the District of Co-
6 lumbia and hire of two passenger motor vehicles,
7 \$396,672,000.

8 OFFICE FOR CIVIL RIGHTS

9 For expenses necessary for the Office for Civil
10 Rights, as authorized by section 203 of the Department
11 of Education Organization Act, \$73,224,000.

12 OFFICE OF THE INSPECTOR GENERAL

13 For expenses necessary for the Office of Inspector
14 General, as authorized by section 212 of the Department
15 of Education Organization Act, \$35,456,000.

16 GENERAL PROVISIONS

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

25 SEC. 302. None of the funds contained in this Act
26 shall be used to require, directly or indirectly, the trans-

SEC. 303. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

17 SEC. 304. Not to exceed 1 percent of any discre-
18 tionary funds (pursuant to the Balanced Budget and
19 Emergency Deficit Control Act of 1985, as amended)
20 which are appropriated for the Department of Education
21 in this Act may be transferred between appropriations, but
22 no such appropriation shall be increased by more than 3
23 percent by any such transfer: *Provided*, That the Appro-
24 priations Committees of both Houses of Congress are noti-
25 fied at least 15 days in advance of any transfer.

1 TITLE IV—RELATED AGENCIES

2 ARMED FORCES RETIREMENT HOME

3 ARMED FORCES RETIREMENT HOME

4 For expenses necessary for the Armed Forces Retire-
5 ment Home to operate and maintain the United States
6 Soldiers' and Airmen's Home and the United States Naval
7 Home, to be paid from funds available in the Armed
8 Forces Retirement Home Trust Fund, \$69,832,000, of
9 which \$9,832,000 shall remain available until expended
10 for construction and renovation of the physical plants at
11 the United States Soldiers' and Airmen's Home and the
12 United States Naval Home: *Provided*, That, notwith-
13 standing any other provision of law, a single contract or
14 related contracts for development and construction, to in-
15 clude construction of a long-term care facility at the
16 United States Naval Home, may be employed which collec-
17 tively include the full scope of the project: *Provided fur-*
18 *ther*, That the solicitation and contract shall contain the
19 clause "availability of funds" found at 48 CFR 52.232-
20 18 and 252.232-7007, Limitation of Government Obliga-
21 tions. In addition, for completion of the long-term care
22 facility at the United States Naval Home, \$6,228,000 to
23 become available on October 1, 2001, and remain available
24 until expended.

1 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
2 DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING
3 EXPENSES

4 For expenses necessary for the Corporation for Na-
5 tional and Community Service to carry out the provisions
6 of the Domestic Volunteer Service Act of 1973, as amend-
7 ed, \$302,504,000: *Provided*, That none of the funds made
8 available to the Corporation for National and Community
9 Service in this Act for activities authorized by part E of
10 title II of the Domestic Volunteer Service Act of 1973
11 shall be used to provide stipends or other monetary incen-
12 tives to volunteers or volunteer leaders whose incomes ex-
13 ceed 125 percent of the national poverty level.

14 CORPORATION FOR PUBLIC BROADCASTING

15 For payment to the Corporation for Public Broad-
16 casting, as authorized by the Communications Act of
17 1934, an amount which shall be available within limita-
18 tions specified by that Act, for the fiscal year 2003,
19 \$365,000,000: *Provided*, That no funds made available to
20 the Corporation for Public Broadcasting by this Act shall
21 be used to pay for receptions, parties, or similar forms
22 of entertainment for Government officials or employees:
23 *Provided further*, That none of the funds contained in this
24 paragraph shall be available or used to aid or support any
25 program or activity from which any person is excluded,

1 or is denied benefits, or is discriminated against, on the
 2 basis of race, color, national origin, religion, or sex: *Pro-*
 3 *vided further*, That in addition to the amounts provided
 4 above, \$20,000,000, to remain available until expended,
 5 shall be for digitalization, pending enactment of author-
 6 izing legislation.

7 FEDERAL MEDIATION AND CONCILIATION SERVICE

8 SALARIES AND EXPENSES

9 For expenses necessary for the Federal Mediation
 10 and Conciliation Service to carry out the functions vested
 11 in it by the Labor Management Relations Act, 1947 (29
 12 U.S.C. 171–180, 182–183), including hire of passenger
 13 motor vehicles; for expenses necessary for the Labor-Man-
 14 agement Cooperation Act of 1978 (29 U.S.C. 175a); and
 15 for expenses necessary for the Service to carry out the
 16 functions vested in it by the Civil Service Reform Act,
 17 Public Law 95–454 (5 U.S.C. ch. 71), \$38,200,000, in-
 18 cluding \$1,500,000, to remain available through Sep-
 19 tember 30, 2002, for activities authorized by the Labor-
 20 Management Cooperation Act of 1978 (29 U.S.C. 175a):
 21 *Provided*, That notwithstanding 31 U.S.C. 3302, fees
 22 charged, up to full-cost recovery, for special training ac-
 23 tivities and other conflict resolution services and technical
 24 assistance, including those provided to foreign govern-
 25 ments and international organizations, and for arbitration

1 services shall be credited to and merged with this account,
 2 and shall remain available until expended: *Provided fur-*
 3 *ther*, That fees for arbitration services shall be available
 4 only for education, training, and professional development
 5 of the agency workforce: *Provided further*, That the Direc-
 6 tor of the Service is authorized to accept and use on behalf
 7 of the United States gifts of services and real, personal,
 8 or other property in the aid of any projects or functions
 9 within the Director's jurisdiction.

10 FEDERAL MINE SAFETY AND HEALTH REVIEW

11 COMMISSION

12 SALARIES AND EXPENSES

13 For expenses necessary for the Federal Mine Safety
 14 and Health Review Commission (30 U.S.C. 801 et seq.),
 15 \$6,320,000.

16 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

17 OFFICE OF LIBRARY SERVICES: GRANTS AND

18 ADMINISTRATION

19 For carrying out subtitle B of the Museum and Li-
 20 brary Services Act, \$168,000,000, to remain available
 21 until expended.

22 MEDICARE PAYMENT ADVISORY COMMISSION

23 SALARIES AND EXPENSES

24 For expenses necessary to carry out section 1805 of
 25 the Social Security Act, \$8,000,000, to be transferred to

1 this appropriation from the Federal Hospital Insurance
 2 and the Federal Supplementary Medical Insurance Trust
 3 Funds.

4 NATIONAL COMMISSION ON LIBRARIES AND
 5 INFORMATION SCIENCE
 6 SALARIES AND EXPENSES

7 For necessary expenses for the National Commission
 8 on Libraries and Information Science, established by the
 9 Act of July 20, 1970 (Public Law 91–345, as amended),
 10 \$1,495,000.

11 NATIONAL COUNCIL ON DISABILITY
 12 SALARIES AND EXPENSES

13 For expenses necessary for the National Council on
 14 Disability as authorized by title IV of the Rehabilitation
 15 Act of 1973, as amended, \$2,615,000.

16 NATIONAL EDUCATION GOALS PANEL

17 For expenses necessary for the National Education
 18 Goals Panel, as authorized by title II, part A of the Goals
 19 2000: Educate America Act, \$2,350,000.

20 NATIONAL LABOR RELATIONS BOARD
 21 SALARIES AND EXPENSES

22 For expenses necessary for the National Labor Rela-
 23 tions Board to carry out the functions vested in it by the
 24 Labor-Management Relations Act, 1947, as amended (29
 25 U.S.C. 141–167), and other laws, \$216,438,000: *Pro-*

1 *vided*, That no part of this appropriation shall be available
2 to organize or assist in organizing agricultural laborers or
3 used in connection with investigations, hearings, direc-
4 tives, or orders concerning bargaining units composed of
5 agricultural laborers as referred to in section 2(3) of the
6 Act of July 5, 1935 (29 U.S.C. 152), and as amended
7 by the Labor-Management Relations Act, 1947, as amend-
8 ed, and as defined in section 3(f) of the Act of June 25,
9 1938 (29 U.S.C. 203), and including in said definition em-
10 ployees engaged in the maintenance and operation of
11 ditches, canals, reservoirs, and waterways when main-
12 tained or operated on a mutual, nonprofit basis and at
13 least 95 percent of the water stored or supplied thereby
14 is used for farming purposes.

15 NATIONAL MEDIATION BOARD

16 SALARIES AND EXPENSES

17 For expenses necessary to carry out the provisions
18 of the Railway Labor Act, as amended (45 U.S.C. 151–
19 188), including emergency boards appointed by the Presi-
20 dent, \$10,400,000.

1 OCCUPATIONAL SAFETY AND HEALTH REVIEW

2 COMMISSION

3 SALARIES AND EXPENSES

4 For expenses necessary for the Occupational Safety
5 and Health Review Commission (29 U.S.C. 661),
6 \$8,720,000.

7 RAILROAD RETIREMENT BOARD

8 DUAL BENEFITS PAYMENTS ACCOUNT

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

21 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

22 ACCOUNTS

23 For payment to the accounts established in the
24 Treasury for the payment of benefits under the Railroad
25 Retirement Act for interest earned on unnegotiated
26 checks, \$150,000, to remain available through September

1 30, 2002, which shall be the maximum amount available
2 for payment pursuant to section 417 of Public Law 98–
3 76.

4 LIMITATION ON ADMINISTRATION

5 For necessary expenses for the Railroad Retirement
6 Board for administration of the Railroad Retirement Act
7 and the Railroad Unemployment Insurance Act,
8 \$92,500,000, to be derived in such amounts as determined
9 by the Board from the railroad retirement accounts and
10 from moneys credited to the railroad unemployment insur-
11 ance administration fund.

12 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

13 For expenses necessary for the Office of Inspector
14 General for audit, investigatory and review activities, as
15 authorized by the Inspector General Act of 1978, as
16 amended, not more than \$5,700,000, to be derived from
17 the railroad retirement accounts and railroad unemploy-
18 ment insurance account: *Provided*, That none of the funds
19 made available in any other paragraph of this Act may
20 be transferred to the Office; used to carry out any such
21 transfer; used to provide any office space, equipment, of-
22 fice supplies, communications facilities or services, mainte-
23 nance services, or administrative services for the Office;
24 used to pay any salary, benefit, or award for any personnel
25 of the Office; used to pay any other operating expense of

1 the Office; or used to reimburse the Office for any service
 2 provided, or expense incurred, by the Office.

3 SOCIAL SECURITY ADMINISTRATION

4 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

5 For payment to the Federal Old-Age and Survivors
 6 Insurance and the Federal Disability Insurance trust
 7 funds, as provided under sections 201(m), 228(g), and
 8 1131(b)(2) of the Social Security Act, \$20,400,000.

9 SPECIAL BENEFITS FOR DISABLED COAL MINERS

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

13 For making, after July 31 of the current fiscal year,
 14 benefit payments to individuals under title IV of the Fed-
 15 eral Mine Safety and Health Act of 1977, for costs in-
 16 curred in the current fiscal year, such amounts as may
 17 be necessary.

18 For making benefit payments under title IV of the
 19 Federal Mine Safety and Health Act of 1977 for the first
 20 quarter of fiscal year 2002, \$114,000,000, to remain
 21 available until expended.

22 SUPPLEMENTAL SECURITY INCOME PROGRAM

23 For carrying out titles XI and XVI of the Social Se-
 24 curity Act, section 401 of Public Law 92–603, section 212
 25 of Public Law 93–66, as amended, and section 405 of
 26 Public Law 95–216, including payment to the Social Secu-

1 rity trust funds for administrative expenses incurred pur-
 2 suant to section 201(g)(1) of the Social Security Act,
 3 \$23,053,000,000, to remain available until expended: *Pro-*
 4 *vided*, That any portion of the funds provided to a State
 5 in the current fiscal year and not obligated by the State
 6 during that year shall be returned to the Treasury.

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

11 In addition, \$210,000,000, to remain available until
 12 September 30, 2002, for payment to the Social Security
 13 trust funds for administrative expenses for continuing dis-
 14 ability reviews as authorized by section 103 of Public Law
 15 104–121 and section 10203 of Public Law 105–33. The
 16 term “continuing disability reviews” means reviews and
 17 redeterminations as defined under section 201(g)(1)(A) of
 18 the Social Security Act, as amended.

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

23 For making benefit payments under title XVI of the
 24 Social Security Act for the first quarter of fiscal year

1 2002, \$10,470,000,000, to remain available until ex-
2 pended.

3 LIMITATION ON ADMINISTRATIVE EXPENSES

4 For necessary expenses, including the hire of two pas-
5 senger motor vehicles, and not to exceed \$10,000 for offi-
6 cial reception and representation expenses, not more than
7 \$6,469,800,000 may be expended, as authorized by sec-
8 tion 201(g)(1) of the Social Security Act, from any one
9 or all of the trust funds referred to therein: *Provided*, That
10 not less than \$1,800,000 shall be for the Social Security
11 Advisory Board: *Provided further*, That unobligated bal-
12 ances at the end of fiscal year 2001 not needed for fiscal
13 year 2001 shall remain available until expended to invest
14 in the Social Security Administration information tech-
15 nology and telecommunications hardware and software in-
16 frastructure, including related equipment and non-payroll
17 administrative expenses

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

21 In addition to funding already available under this
22 heading, and subject to the same terms and conditions,
23 \$450,000,000, to remain available until September 30,
24 2002, for continuing disability reviews as authorized by
25 section 103 of Public Law 104–121 and section 10203 of
26 Public Law 105–33. The term “continuing disability re-

1 views” means reviews and redeterminations as defined
 2 under section 201(g)(1)(A) of the Social Security Act, as
 3 amended.

4 In addition, \$91,000,000 to be derived from adminis-
 5 tration fees in excess of \$5.00 per supplementary payment
 6 collected pursuant to section 1616(d) of the Social Secu-
 7 rity Act or section 212(b)(3) of Public Law 93–66, which
 8 shall remain available until expended. To the extent that
 9 the amounts collected pursuant to such section 1616(d)
 10 or 212(b)(3) in fiscal year 2001 exceed \$91,000,000, the
 11 amounts shall be available in fiscal year 2002 only to the
 12 extent provided in advance in appropriations Acts.

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

19 OFFICE OF INSPECTOR GENERAL
 20 (INCLUDING TRANSFER OF FUNDS)

21 For expenses necessary for the Office of Inspector
 22 General in carrying out the provisions of the Inspector
 23 General Act of 1978, as amended, \$16,944,000, together
 24 with not to exceed \$52,500,000, to be transferred and ex-
 25 pended as authorized by section 201(g)(1) of the Social
 26 Security Act from the Federal Old-Age and Survivors In-

1 surance Trust Fund and the Federal Disability Insurance
2 Trust Fund.

3 In addition, an amount not to exceed 3 percent of
4 the total provided in this appropriation may be transferred
5 from the “Limitation on Administrative Expenses”, Social
6 Security Administration, to be merged with this account,
7 to be available for the time and purposes for which this
8 account is available: *Provided*, That notice of such trans-
9 fers shall be transmitted promptly to the Committees on
10 Appropriations of the House and Senate.

11 UNITED STATES INSTITUTE OF PEACE

12 OPERATING EXPENSES

13 For necessary expenses of the United States Institute
14 of Peace as authorized in the United States Institute of
15 Peace Act, \$12,951,000.

16 TITLE V—GENERAL PROVISIONS

17 SEC. 501. The Secretaries of Labor, Health and
18 Human Services, and Education are authorized to transfer
19 unexpended balances of prior appropriations to accounts
20 corresponding to current appropriations provided in this
21 Act: *Provided*, That such transferred balances are used for
22 the same purpose, and for the same periods of time, for
23 which they were originally appropriated.

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

4 SEC. 503. (a) No part of any appropriation contained
5 in this Act shall be used, other than for normal and recog-
6 nized executive-legislative relationships, for publicity or
7 propaganda purposes, for the preparation, distribution, or
8 use of any kit, pamphlet, booklet, publication, radio, tele-
9 vision, or video presentation designed to support or defeat
10 legislation pending before the Congress or any State legis-
11 lature, except in presentation to the Congress or any State
12 legislature itself.

13 (b) No part of any appropriation contained in this
14 Act shall be used to pay the salary or expenses of any
15 grant or contract recipient, or agent acting for such recipi-
16 ent, related to any activity designed to influence legislation
17 or appropriations pending before the Congress or any
18 State legislature.

19 SEC. 504. The Secretaries of Labor and Education
20 are authorized to make available not to exceed \$20,000
21 and \$15,000, respectively, from funds available for sala-
22 ries and expenses under titles I and III, respectively, for
23 official reception and representation expenses; the Direc-
24 tor of the Federal Mediation and Conciliation Service is
25 authorized to make available for official reception and rep-

1 representation expenses not to exceed \$2,500 from the funds
2 available for “Salaries and expenses, Federal Mediation
3 and Conciliation Service”; and the Chairman of the Na-
4 tional Mediation Board is authorized to make available for
5 official reception and representation expenses not to ex-
6 ceed \$2,500 from funds available for “Salaries and ex-
7 penses, National Mediation Board”.

8 SEC. 505. Notwithstanding any other provision of
9 this Act, no funds appropriated under this Act shall be
10 used to carry out any program of distributing sterile nee-
11 dles or syringes for the hypodermic injection of any illegal
12 drug unless the Secretary of Health and Human Services
13 determines that such programs are effective in preventing
14 the spread of HIV and do not encourage the use of illegal
15 drugs.

16 SEC. 506. (a) PURCHASE OF AMERICAN-MADE
17 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-
18 gress that, to the greatest extent practicable, all equip-
19 ment and products purchased with funds made available
20 in this Act should be American-made.

21 (b) NOTICE REQUIREMENT.—In providing financial
22 assistance to, or entering into any contract with, any enti-
23 ty using funds made available in this Act, the head of each
24 Federal agency, to the greatest extent practicable, shall

1 provide to such entity a notice describing the statement
2 made in subsection (a) by the Congress.

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

15 SEC. 507. When issuing statements, press releases,
16 requests for proposals, bid solicitations and other docu-
17 ments describing projects or programs funded in whole or
18 in part with Federal money, all grantees receiving Federal
19 funds included in this Act, including but not limited to
20 State and local governments and recipients of Federal re-
21 search grants, shall clearly state: (1) the percentage of the
22 total costs of the program or project which will be financed
23 with Federal money; (2) the dollar amount of Federal
24 funds for the project or program; and (3) percentage and

1 dollar amount of the total costs of the project or program
2 that will be financed by non-governmental sources.

3 SEC. 508. (a) None of the funds appropriated under
4 this Act, and none of the funds in any trust fund to which
5 funds are appropriated under this Act, shall be expended
6 for any abortion.

7 (b) None of the funds appropriated under this Act,
8 and none of the funds in any trust fund to which funds
9 are appropriated under this Act, shall be expended for
10 health benefits coverage that includes coverage of abor-
11 tion.

12 (c) The term “health benefits coverage” means the
13 package of services covered by a managed care provider
14 or organization pursuant to a contract or other arrange-
15 ment.

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

18 (1) if the pregnancy is the result of an act of
19 rape or incest; or

20 (2) in the case where a woman suffers from a
21 physical disorder, physical injury, or physical illness,
22 including a life-endangering physical condition
23 caused by or arising from the pregnancy itself, that
24 would, as certified by a physician, place the woman
25 in danger of death unless an abortion is performed.

1 (b) Nothing in the preceding section shall be con-
2 strued as prohibiting the expenditure by a State, locality,
3 entity, or private person of State, local, or private funds
4 (other than a State's or locality's contribution of Medicaid
5 matching funds).

6 (c) Nothing in the preceding section shall be con-
7 strued as restricting the ability of any managed care pro-
8 vider from offering abortion coverage or the ability of a
9 State or locality to contract separately with such a pro-
10 vider for such coverage with State funds (other than a
11 State's or locality's contribution of Medicaid matching
12 funds).

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

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

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

23 (b) For purposes of this section, the term “human
24 embryo or embryos” includes any organism, not protected
25 as a human subject under 45 CFR 46 as of the date of

1 the enactment of this Act, that is derived by fertilization,
2 parthenogenesis, cloning, or any other means from one or
3 more human gametes or human diploid cells.

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

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

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

20 (1) such entity is otherwise a contractor with
21 the United States and is subject to the requirement
22 in section 4212(d) of title 38, United States Code,
23 regarding submission of an annual report to the Sec-
24 retary of Labor concerning employment of certain
25 veterans; and

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

5 SEC. 513. Except as otherwise specifically provided
6 by law, unobligated balances remaining available at the
7 end of fiscal year 2000 from appropriations made avail-
8 able for salaries and expenses for fiscal year 2000 in this
9 Act, shall remain available through December 31, 2001,
10 for each such account for the purposes authorized: *Pro-*
11 *vided*, That the House and Senate Committees on Appro-
12 priations shall be notified at least 15 days prior to the
13 obligation of such funds.

14 SEC. 514. None of the funds made available in this
15 Act may be used to promulgate or adopt any final stand-
16 ard under section 1173(b) of the Social Security Act (42
17 U.S.C. 1320d–2(b)) providing for, or providing for the as-
18 signment of, a unique health identifier for an individual
19 (except in an individual’s capacity as an employer or a
20 health care provider), until legislation is enacted specifi-
21 cally approving the standard.

22 SEC. 515. RESTORING BENEFIT PAYMENTS TO AP-
23 PROPRIATE YEAR. Section 5527 of Public Law 105–33 is
24 repealed.

1 SEC. 516. Section 410(b) of The Ticket to Work and
2 Work Incentives Improvement Act of 1999 (Public Law
3 106–170) is amended by striking “2009” both places it
4 appears and inserting “2001”.

5 This Act may be cited as the “Departments of Labor,
6 Health and Human Services, and Education, and Related
7 Agencies Appropriations Act, 2001”.

Calendar No. 547

106TH CONGRESS
2D SESSION

S. 2553

[Report No. 106-293]

A BILL

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

MAY 12, 2000

Read twice and placed on the calendar