

In the Senate of the United States,

August 2, 2001.

Resolved, That the bill from the House of Representatives (H.R. 2620) entitled “An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*
2 *money in the Treasury not otherwise appropriated, for the*
3 *Departments of Veteran Affairs and Housing and Urban*
4 *Development, and for sundry independent agencies, boards,*
5 *commissions, corporations, and offices for the fiscal year*
6 *ending September 30, 2002, and for other purposes, namely:*

1 *TITLE I—DEPARTMENT OF VETERANS AFFAIRS*2 *VETERANS BENEFITS ADMINISTRATION*3 *COMPENSATION AND PENSIONS*4 *(INCLUDING TRANSFERS OF FUNDS)*

5 *For the payment of compensation benefits to or on be-*
6 *half of veterans and a pilot program for disability examina-*
7 *tions as authorized by law (38 U.S.C. 107, chapters 11, 13,*
8 *18, 51, 53, 55, and 61); pension benefits to or on behalf*
9 *of veterans as authorized by law (38 U.S.C. chapters 15,*
10 *51, 53, 55, and 61; 92 Stat. 2508); and burial benefits,*
11 *emergency and other officers' retirement pay, adjusted-serv-*
12 *ice credits and certificates, payment of premiums due on*
13 *commercial life insurance policies guaranteed under the*
14 *provisions of Article IV of the Soldiers' and Sailors' Civil*
15 *Relief Act of 1940, as amended, and for other benefits as*
16 *authorized by law (38 U.S.C. 107, 1312, 1977, and 2106,*
17 *chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548;*
18 *43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198),*
19 *\$24,944,288,000, to remain available until expended: Pro-*
20 *vided, That not to exceed \$17,940,000 of the amount appro-*
21 *priated shall be reimbursed to “General operating expenses”*
22 *and “Medical care” for necessary expenses in implementing*
23 *those provisions authorized in the Omnibus Budget Rec-*
24 *onciliation Act of 1990, and in the Veterans' Benefits Act*
25 *of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding*
26 *source for which is specifically provided as the “Compensa-*

1 tion and pensions” appropriation: *Provided further, That*
 2 *such sums as may be earned on an actual qualifying pa-*
 3 *tient basis, shall be reimbursed to “Medical facilities revolv-*
 4 *ing fund” to augment the funding of individual medical*
 5 *facilities for nursing home care provided to pensioners as*
 6 *authorized.*

7 READJUSTMENT BENEFITS

8 *For the payment of readjustment and rehabilitation*
 9 *benefits to or on behalf of veterans as authorized by 38*
 10 *U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and*
 11 *61, \$2,135,000,000, to remain available until expended:*
 12 *Provided, That expenses for rehabilitation program services*
 13 *and assistance which the Secretary is authorized to provide*
 14 *under section 3104(a) of title 38, United States Code, other*
 15 *than under subsection (a)(1), (2), (5) and (11) of that sec-*
 16 *tion, shall be charged to the account: Provided further, That*
 17 *funds shall be available to pay any court order, court award*
 18 *or any compromise settlement arising from litigation in-*
 19 *volving the vocational training program authorized by sec-*
 20 *tion 18 of Public Law 98–77, as amended.*

21 VETERANS INSURANCE AND INDEMNITIES

22 *For military and naval insurance, national service life*
 23 *insurance, servicemen’s indemnities, service-disabled vet-*
 24 *erans insurance, and veterans mortgage life insurance as*
 25 *authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat.*
 26 *487, \$26,200,000, to remain available until expended.*

1 *VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM*
2 *ACCOUNT*
3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For the cost of direct and guaranteed loans, such sums*
5 *as may be necessary to carry out the program, as authorized*
6 *by 38 U.S.C. chapter 37, as amended: Provided, That such*
7 *costs, including the cost of modifying such loans, shall be*
8 *as defined in section 502 of the Congressional Budget Act*
9 *of 1974, as amended: Provided further, That during fiscal*
10 *year 2002, within the resources available, not to exceed*
11 *\$300,000 in gross obligations for direct loans are authorized*
12 *for specially adapted housing loans.*

13 *In addition, for administrative expenses to carry out*
14 *the direct and guaranteed loan programs, \$164,497,000,*
15 *which may be transferred to and merged with the appro-*
16 *priation for “General operating expenses”.*

17 *EDUCATION LOAN FUND PROGRAM ACCOUNT*
18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For the cost of direct loans, \$1,000, as authorized by*
20 *38 U.S.C. 3698, as amended: Provided, That such costs, in-*
21 *cluding the cost of modifying such loans, shall be as defined*
22 *in section 502 of the Congressional Budget Act of 1974, as*
23 *amended: Provided further, That these funds are available*
24 *to subsidize gross obligations for the principal amount of*
25 *direct loans not to exceed \$3,400.*

7 For the cost of direct loans, \$72,000, as authorized by
8 38 U.S.C. chapter 31, as amended: Provided, That such
9 costs, including the cost of modifying such loans, shall be
10 as defined in section 502 of the Congressional Budget Act
11 of 1974, as amended: Provided further, That these funds are
12 available to subsidize gross obligations for the principal
13 amount of direct loans not to exceed \$3,301,000.

14 *In addition, for administrative expenses necessary to*
15 *carry out the direct loan program, \$274,000, which may*
16 *be transferred to and merged with the appropriation for*
17 *“General operating expenses”.*

21 *For administrative expenses to carry out the direct*
22 *loan program authorized by 38 U.S.C. chapter 37, sub-*
23 *chapter V, as amended, \$544,000, which may be transferred*
24 *to and merged with the appropriation for “General oper-*
25 *ating expenses”.*

1 *GUARANTEED TRANSITIONAL HOUSING LOANS FOR*
2 *HOMELESS VETERANS PROGRAM ACCOUNT*
3 *(INCLUDING TRANSFER OF FUNDS)*

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

9 *VETERANS HEALTH ADMINISTRATION*
10 *MEDICAL CARE*
11 *(INCLUDING TRANSFER OF FUNDS)*

12 *For necessary expenses for the maintenance and oper-*
13 *ation of hospitals, nursing homes, and domiciliary facili-*
14 *ties; for furnishing, as authorized by law, inpatient and*
15 *outpatient care and treatment to beneficiaries of the De-*
16 *partment of Veterans Affairs, including care and treatment*
17 *in facilities not under the jurisdiction of the department;*
18 *and furnishing recreational facilities, supplies, and equip-*
19 *ment; funeral, burial, and other expenses incidental thereto*
20 *for beneficiaries receiving care in the department; adminis-*
21 *trative expenses in support of planning, design, project*
22 *management, real property acquisition and disposition,*
23 *construction and renovation of any facility under the juris-*
24 *isdiction or for the use of the department; oversight, engineer-*
25 *ing and architectural activities not charged to project cost;*
26 *repairing, altering, improving or providing facilities in the*

1 *several hospitals and homes under the jurisdiction of the*
2 *department, not otherwise provided for, either by contract*
3 *or by the hire of temporary employees and purchase of ma-*
4 *terials; uniforms or allowances therefor, as authorized by*
5 *5 U.S.C. 5901–5902; aid to State homes as authorized by*
6 *38 U.S.C. 1741; administrative and legal expenses of the*
7 *department for collecting and recovering amounts owed the*
8 *department as authorized under 38 U.S.C. chapter 17, and*
9 *the Federal Medical Care Recovery Act, 42 U.S.C. 2651 et*
10 *seq., \$21,379,742,000, plus reimbursements: Provided, That*
11 *of the funds made available under this heading,*
12 *\$675,000,000 is for the equipment and land and structures*
13 *object classifications only, which amount shall not become*
14 *available for obligation until August 1, 2002, and shall re-*
15 *main available until September 30, 2003: Provided further,*
16 *That of the funds made available under this heading, not*
17 *to exceed \$900,000,000 shall be available until September*
18 *30, 2003: Provided further, That, in addition to other funds*
19 *made available under this heading for non-recurring main-*
20 *tenance and repair (NRM) activities, \$30,000,000 shall be*
21 *available without fiscal year limitation to support the NRM*
22 *activities necessary to implement Capital Asset Realign-*
23 *ment for Enhanced Services (CARES) activities: Provided*
24 *further, That from amounts appropriated under this head-*
25 *ing, additional amounts, as designated by the Secretary no*

1 *later than September 30, 2002, may be used for CARES*
2 *activities without fiscal year limitation: Provided further,*
3 *That the Secretary of Veterans Affairs shall conduct by con-*
4 *tract a program of recovery audits for the fee basis and*
5 *other medical services contracts with respect to payments*
6 *for hospital care; and, notwithstanding 31 U.S.C. 3302(b),*
7 *amounts collected, by setoff or otherwise, as the result of*
8 *such audits shall be available, without fiscal year limita-*
9 *tion, for the purposes for which funds are appropriated*
10 *under this heading and the purposes of paying a contractor*
11 *a percent of the amount collected as a result of an audit*
12 *carried out by the contractor: Provided further, That all*
13 *amounts so collected under the preceding proviso with re-*
14 *spect to a designated health care region (as that term is*
15 *defined in 38 U.S.C. 1729A(d)(2)) shall be allocated, net*
16 *of payments to the contractor, to that region.*

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

23 *MEDICAL AND PROSTHETIC RESEARCH*

24 *For necessary expenses in carrying out programs of*
25 *medical and prosthetic research and development as author-*

1 ized by 38 U.S.C. chapter 73, to remain available until
 2 September 30, 2003, \$390,000,000, plus reimbursements.

3 *MEDICAL ADMINISTRATION AND MISCELLANEOUS*

4 *OPERATING EXPENSES*

5 *For necessary expenses in the administration of the*
 6 *medical, hospital, nursing home, domiciliary, construction,*
 7 *supply, and research activities, as authorized by law; ad-*
 8 *ministrative expenses in support of capital policy activities,*
 9 *\$67,628,000, plus reimbursements: Provided, That technical*
 10 *and consulting services offered by the Facilities Manage-*
 11 *ment Field Service, including project management and real*
 12 *property administration (including leases, site acquisition*
 13 *and disposal activities directly supporting projects), shall*
 14 *be provided to Department of Veterans Affairs components*
 15 *only on a reimbursable basis, and such amounts will re-*
 16 *main available until September 30, 2002.*

17 *DEPARTMENTAL ADMINISTRATION*

18 *GENERAL OPERATING EXPENSES*

19 *For necessary operating expenses of the Department of*
 20 *Veterans Affairs, not otherwise provided for, including uni-*
 21 *forms or allowances therefor; not to exceed \$25,000 for offi-*
 22 *cial reception and representation expenses; hire of passenger*
 23 *motor vehicles; and reimbursement of the General Services*
 24 *Administration for security guard services, and the Depart-*
 25 *ment of Defense for the cost of overseas employee mail,*
 26 *\$1,194,831,000: Provided, That expenses for services and as-*

1 *sistance authorized under 38 U.S.C. 3104(a)(1), (2), (5)*
 2 *and (11) that the Secretary determines are necessary to en-*
 3 *able entitled veterans (1) to the maximum extent feasible,*
 4 *to become employable and to obtain and maintain suitable*
 5 *employment; or (2) to achieve maximum independence in*
 6 *daily living, shall be charged to this account: Provided fur-*
 7 *ther, That of the funds made available under this heading,*
 8 *not to exceed \$60,000,000 shall be available until September*
 9 *30, 2003: Provided further, That of the funds made avail-*
 10 *able under this heading, the Veterans Benefits Administra-*
 11 *tion may purchase up to four passenger motor vehicles for*
 12 *use in their Manila, Philippines operation: Provided fur-*
 13 *ther, That travel expenses for this account shall not exceed*
 14 *\$15,665,000.*

15 *NATIONAL CEMETERY ADMINISTRATION*

16 *For necessary expenses of the National Cemetery Ad-*
 17 *ministration for operations and maintenance, not otherwise*
 18 *provided for, including uniforms or allowances therefor;*
 19 *cemeterial expenses as authorized by law; purchase of one*
 20 *passenger motor vehicle for use in cemeterial operations;*
 21 *and hire of passenger motor vehicles, \$121,169,000.*

22 *OFFICE OF INSPECTOR GENERAL*

23 *For necessary expenses of the Office of Inspector Gen-*
 24 *eral in carrying out the Inspector General Act of 1978, as*
 25 *amended, \$48,308,000.*

1 *CONSTRUCTION, MAJOR PROJECTS*

2 *For constructing, altering, extending and improving*
3 *any of the facilities under the jurisdiction or for the use*
4 *of the Department of Veterans Affairs, or for any of the*
5 *purposes set forth in sections 316, 2404, 2406, 8102, 8103,*
6 *8106, 8108, 8109, 8110, and 8122 of title 38, United States*
7 *Code, including planning, architectural and engineering*
8 *services, maintenance or guarantee period services costs as-*
9 *sociated with equipment guarantees provided under the*
10 *project, services of claims analysts, offsite utility and storm*
11 *drainage system construction costs, and site acquisition,*
12 *where the estimated cost of a project is \$4,000,000 or more*
13 *or where funds for a project were made available in a pre-*
14 *vious major project appropriation, \$155,180,000, to remain*
15 *available until expended, of which \$60,000,000 shall be for*
16 *Capital Asset Realignment for Enhanced Services (CARES)*
17 *activities; and of which not to exceed \$20,000,000 shall be*
18 *for costs associated with land acquisitions for national*
19 *cemeteries in the vicinity of Sacramento, California; Pitts-*
20 *burgh, Pennsylvania; and Detroit, Michigan: Provided,*
21 *That except for advance planning activities (including*
22 *market-based and other assessments of needs which may*
23 *lead to capital investments) funded through the advance*
24 *planning fund, design of projects funded through the design*
25 *fund, and planning and design activities funded through*

1 *the CARES fund (including market-based and other assess-*
 2 *ments of needs which may lead to capital investments),*
 3 *none of these funds shall be used for any project which has*
 4 *not been approved by the Congress in the budgetary process:*
 5 *Provided further, That funds provided in this appropria-*
 6 *tion for fiscal year 2002, for each approved project (except*
 7 *those for CARES activities and the three land acquisitions*
 8 *referenced above) shall be obligated: (1) by the awarding*
 9 *of a construction documents contract by September 30,*
 10 *2002; and (2) by the awarding of a construction contract*
 11 *by September 30, 2003: Provided further, That the Sec-*
 12 *retary shall promptly report in writing to the Committees*
 13 *on Appropriations any approved major construction project*
 14 *in which obligations are not incurred within the time limi-*
 15 *tations established above: Provided further, That no funds*
 16 *from any other account except the “Parking revolving*
 17 *fund”, may be obligated for constructing, altering, extend-*
 18 *ing, or improving a project which was approved in the*
 19 *budget process and funded in this account until one year*
 20 *after substantial completion and beneficial occupancy by*
 21 *the Department of Veterans Affairs of the project or any*
 22 *part thereof with respect to that part only.*

23 *CONSTRUCTION, MINOR PROJECTS*

24 *For constructing, altering, extending, and improving*
 25 *any of the facilities under the jurisdiction or for the use*
 26 *of the Department of Veterans Affairs, including planning*

1 *and assessments of needs which may lead to capital invest-*
2 *ments, architectural and engineering services, maintenance*
3 *or guarantee period services costs associated with equipment*
4 *guarantees provided under the project, services of claims an-*
5 *alysts, offsite utility and storm drainage system construc-*
6 *tion costs, and site acquisition, or for any of the purposes*
7 *set forth in sections 316, 2404, 2406, 8102, 8103, 8106,*
8 *8108, 8109, 8110, 8122, and 8162 of title 38, United States*
9 *Code, where the estimated cost of a project is less than*
10 *\$4,000,000, \$178,900,000, to remain available until ex-*
11 *pended, along with unobligated balances of previous “Con-*
12 *struction, minor projects” appropriations which are hereby*
13 *made available for any project where the estimated cost is*
14 *less than \$4,000,000, of which \$25,000,000 shall be for Cap-*
15 *ital Asset Realignment for Enhanced Services (CARES) ac-*
16 *tivities: Provided, That from amounts appropriated under*
17 *this heading, additional amounts may be used for CARES*
18 *activities: Provided further, That funds in this account*
19 *shall be available for: (1) repairs to any of the nonmedical*
20 *facilities under the jurisdiction or for the use of the depart-*
21 *ment which are necessary because of loss or damage caused*
22 *by any natural disaster or catastrophe; and (2) temporary*
23 *measures necessary to prevent or to minimize further loss*
24 *by such causes.*

1 *PARKING REVOLVING FUND*

2 *For the parking revolving fund as authorized by 38*
3 *U.S.C. 8109, income from fees collected and \$4,000,000*
4 *from the General Fund, both to remain available until ex-*
5 *pended, which shall be available for all authorized expenses*
6 *except operations and maintenance costs, which will be*
7 *funded from “Medical care”.*

8 *GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE*
9 *FACILITIES*

10 *For grants to assist States to acquire or construct*
11 *State nursing home and domiciliary facilities and to re-*
12 *model, modify or alter existing hospital, nursing home and*
13 *domiciliary facilities in State homes, for furnishing care*
14 *to veterans as authorized by 38 U.S.C. 8131–8137,*
15 *\$100,000,000, to remain available until expended.*

16 *GRANTS FOR THE CONSTRUCTION OF STATE VETERANS*
17 *CEMETERIES*

18 *For grants to aid States in establishing, expanding,*
19 *or improving State veterans cemeteries as authorized by 38*
20 *U.S.C. 2408, \$25,000,000, to remain available until ex-*
21 *pended.*

22 *ADMINISTRATIVE PROVISIONS*
23 *(INCLUDING TRANSFER OF FUNDS)*

24 *SEC. 101. Any appropriation for fiscal year 2002 for*
25 *“Compensation and pensions”, “Readjustment benefits”,*

1 *and “Veterans insurance and indemnities” may be trans-*
2 *ferred to any other of the mentioned appropriations.*

3 *SEC. 102. Appropriations available to the Department*
4 *of Veterans Affairs for fiscal year 2002 for salaries and ex-*
5 *penses shall be available for services authorized by 5 U.S.C.*
6 *3109.*

7 *SEC. 103. No appropriations in this Act for the De-*
8 *partment of Veterans Affairs (except the appropriations for*
9 *“Construction, major projects”, “Construction, minor*
10 *projects”, and the “Parking revolving fund”) shall be avail-*
11 *able for the purchase of any site for or toward the construc-*
12 *tion of any new hospital or home.*

13 *SEC. 104. No appropriations in this Act for the De-*
14 *partment of Veterans Affairs shall be available for hos-*
15 *pitalization or examination of any persons (except bene-*
16 *ficiaries entitled under the laws bestowing such benefits to*
17 *veterans, and persons receiving such treatment under 5*
18 *U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless reim-*
19 *bursement of cost is made to the “Medical care” account*
20 *at such rates as may be fixed by the Secretary of Veterans*
21 *Affairs.*

22 *SEC. 105. Appropriations available to the Department*
23 *of Veterans Affairs for fiscal year 2002 for “Compensation*
24 *and pensions”, “Readjustment benefits”, and “Veterans in-*
25 *surance and indemnities” shall be available for payment*

1 of prior year accrued obligations required to be recorded
2 by law against the corresponding prior year accounts with-
3 in the last quarter of fiscal year 2001.

4 *SEC. 106. Appropriations accounts available to the De-*
5 *partment of Veterans Affairs for fiscal year 2002 shall be*
6 *available to pay prior year obligations of corresponding*
7 *prior year appropriations accounts resulting from title X*
8 *of the Competitive Equality Banking Act, Public Law 100–*
9 *86, except that if such obligations are from trust fund ac-*
10 *counts they shall be payable from “Compensation and pen-*
11 *sions”.*

12 *SEC. 107. Notwithstanding any other provision of law,*
13 *during fiscal year 2002, the Secretary of Veterans Affairs*
14 *shall, from the National Service Life Insurance Fund (38*
15 *U.S.C. 1920), the Veterans’ Special Life Insurance Fund*
16 *(38 U.S.C. 1923), and the United States Government Life*
17 *Insurance Fund (38 U.S.C. 1955), reimburse the “General*
18 *operating expenses” account for the cost of administration*
19 *of the insurance programs financed through those accounts:*
20 *Provided, That reimbursement shall be made only from the*
21 *surplus earnings accumulated in an insurance program in*
22 *fiscal year 2002, that are available for dividends in that*
23 *program after claims have been paid and actuarially deter-*
24 *mined reserves have been set aside: Provided further, That*
25 *if the cost of administration of an insurance program ex-*

ceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2002, which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 108. For fiscal year 2002 only, funds available in any Department of Veterans Affairs appropriation or fund for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs. Payments may be made in advance for services to be furnished, based on estimated costs. Amounts received shall be credited to the General Operating Expenses account for use by the office that provided the service. Total resources available to these offices for fiscal year 2002 shall not exceed \$28,550,000 for the Office of Resolution Management and \$2,383,000 for the Office of Employment and Discrimination Complaint Adjudication.

SEC. 109. Notwithstanding any other provision of law, the Department of Veterans Affairs shall continue the Franchise Fund pilot program authorized to be established by

1 *section 403 of Public Law 103–356 until October 1, 2002:*
2 *Provided, That the Franchise Fund, established by Title I*
3 *of Public Law 104–204 to finance the operations of the*
4 *Franchise Fund pilot program, shall continue until October*
5 *1, 2002.*

6 *SEC. 110. (a) STUDY OF VISCOSUPPLEMENTATION.—*
7 *The Secretary of Veterans Affairs shall carry out a study*
8 *of the benefits and costs of using viscosupplementation as*
9 *a means of treating degenerative knee diseases in veterans*
10 *instead of, or as a means of delaying, knee replacement.*
11 *The study shall consider the benefits and costs of the proce-*
12 *dure for veterans and the effect of the use of the procedure*
13 *on the provision of medical care by the Department of Vet-*
14 *erans Affairs.*

15 *(b) REPORT.—Not later than one year after the date*
16 *of the enactment of this Act, the Secretary shall submit to*
17 *Congress a report on the study carried out under subsection*
18 *(a). The report shall set forth the results of the study, and*
19 *include such other information regarding the study, includ-*
20 *ing recommendations as a result of the study, as the Sec-*
21 *retary considers appropriate.*

22 *(c) FUNDING.—The Secretary shall carry out the study*
23 *under subsection (a) using amounts available to the Sec-*
24 *retary under this title under the heading “MEDICAL AND*
25 *PROSTHETIC RESEARCH”.*

1 *SEC. 111. (a) ELIGIBILITY OF NORTH DAKOTA VET-*
2 *ERANS CEMETERY FOR AID REGARDING VETERANS CEME-*
3 *TERIES.—The Secretary of Veterans Affairs shall treat the*
4 *North Dakota Veterans Cemetery, Mandan, North Dakota,*
5 *as a veterans cemetery owned by the State of North Dakota*
6 *for purposes of making grants to States in expanding or*
7 *improving veterans cemeteries under section 2408 of title*
8 *38, United States Code.*

9 *(b) APPLICABILITY.—This section shall take effect on*
10 *the date of enactment of this Act, and shall apply with re-*
11 *spect to grants under section 2408 of title 38, United States*
12 *Code, that occur on or after that date.*

13 *SEC. 112. Notwithstanding any other provision of this*
14 *Act, none of the funds appropriated or otherwise made*
15 *available in this Act for “Medical care” appropriations of*
16 *the Department of Veterans Affairs may be obligated for*
17 *the realignment of the health care delivery system in Vet-*
18 *erans Integrated Service Network 12 (VISN 12) until 60*
19 *days after the Secretary of Veterans Affairs certifies that*
20 *the Department has: (1) consulted with veterans organiza-*
21 *tions, medical school affiliates, employee representatives,*
22 *State veterans and health associations, and other interested*
23 *parties with respect to the realignment plan to be imple-*
24 *mented; and (2) made available to the Congress and the*
25 *public information from the consultations regarding pos-*

1 sible impacts on the accessibility of veterans health care
 2 services to affected veterans.

3 *TITLE II—DEPARTMENT OF HOUSING AND*
 4 *URBAN DEVELOPMENT*
 5 *PUBLIC AND INDIAN HOUSING*
 6 *HOUSING CERTIFICATE FUND*

7 *(INCLUDING RESCISSION AND TRANSFERS OF FUNDS)*

8 *For activities and assistance to prevent the involun-*
 9 *tary displacement of low-income families, the elderly and*
 10 *the disabled because of the loss of affordable housing stock,*
 11 *expiration of subsidy contracts (other than contracts for*
 12 *which amounts are provided under another heading in this*
 13 *Act) or expiration of use restrictions, or other changes in*
 14 *housing assistance arrangements, and for other purposes,*
 15 *\$15,658,769,000 and amounts that are recaptured in this*
 16 *account to remain available until expended: Provided, That*
 17 *of the total amount provided under this heading,*
 18 *\$15,506,746,000, of which \$11,306,746,000 shall be avail-*
 19 *able on October 1, 2001 and \$4,200,000,000 shall be avail-*
 20 *able on October 1, 2002 shall be for assistance under the*
 21 *United States Housing Act of 1937, as amended (“the Act”*
 22 *herein) (42 U.S.C. 1437): Provided further, That the fore-*
 23 *going amounts shall be for use in connection with expiring*
 24 *or terminating section 8 subsidy contracts, for amendments*
 25 *to section 8 subsidy contracts, for enhanced vouchers (in-*
 26 *cluding amendments and renewals) under any provision of*

1 law authorizing such assistance under section 8(t) of the
2 Act (47 U.S.C. 1437f(t)), contract administrators, and con-
3 tracts entered into pursuant to section 441 of the McKin-
4 ney-Vento Homeless Assistance Act: Provided further, That
5 amounts available under the first proviso under this head-
6 ing shall be available for section 8 rental assistance under
7 the Act: (1) for the relocation and replacement of housing
8 units that are demolished or disposed of pursuant to the
9 Omnibus Consolidated Rescissions and Appropriations Act
10 of 1996; (2) for the conversion of section 23 projects to as-
11 sistance under section 8; (3) for funds to carry out the fam-
12 ily unification program; (4) for the relocation of witnesses
13 in connection with efforts to combat crime in public and
14 assisted housing pursuant to a request from a law enforce-
15 ment or prosecution agency; (5) for tenant protection assist-
16 ance, including replacement and relocation assistance; and
17 (6) for the 1-year renewal of section 8 contracts at current
18 rents for units in a project that is subject to an approved
19 plan of action under the Emergency Low Income Housing
20 Preservation Act of 1987 or the Low-Income Housing Pres-
21 ervation and Resident Homeownership Act of 1990: Pro-
22 vided further, That of the total amount provided under this
23 heading, no less than \$13,400,000 shall be transferred to
24 the Working Capital Fund for the development and mainte-
25 nance of information technology systems: Provided further,

1 *That of the total amount provided under this heading,*
2 *\$40,000,000 shall be made available to nonelderly disabled*
3 *families affected by the designation of a public housing de-*
4 *velopment under section 7 of the Act, the establishment of*
5 *preferences in accordance with section 651 of the Housing*
6 *and Community Development Act of 1992 (42 U.S.C.*
7 *1361l), or the restriction of occupancy to elderly families*
8 *in accordance with section 658 of such Act, and to the extent*
9 *the Secretary determines that such amount is not needed*
10 *to fund applications for such affected families, to other non-*
11 *elderly disabled families: Provided further, That of the total*
12 *amount provided under this heading, \$98,623,000 shall be*
13 *made available for incremental vouchers under section 8 of*
14 *the Act on a fair share basis to those public housing agencies*
15 *that have no less than 97 percent occupancy rate: Provided*
16 *further, That amounts available under this heading may*
17 *be made available for administrative fees and other expenses*
18 *to cover the cost of administering rental assistance pro-*
19 *grams under section 8 of the Act: Provided further, That*
20 *the fee otherwise authorized under section 8(q) of such Act*
21 *shall be determined in accordance with section 8(q), as in*
22 *effect immediately before the enactment of the Quality*
23 *Housing and Work Responsibility Act of 1998: Provided*
24 *further, That \$615,000,000 are rescinded from unobligated*
25 *balances remaining from funds appropriated to the Depart-*

1 *ment of Housing and Urban Development under this head-*
2 *ing or the heading “Annual contributions for assisted hous-*
3 *ing” for fiscal year 2002 and prior years: Provided further,*
4 *That, after the amount is rescinded under the previous pro-*
5 *viso, to the extent an additional amount is available for*
6 *rescission from unobligated balances remaining for funds*
7 *appropriated to the Department of Housing and Urban De-*
8 *velopment under this heading or the heading “Annual con-*
9 *tributions for assisted housing” for fiscal year 2002 and*
10 *prior years, such amount shall be made available on a pro-*
11 *rata basis, no sooner than September 1, 2002, and shall*
12 *be transferred for use under the “Research and Related Ac-*
13 *tivities” account of the National Science Foundation, and*
14 *shall be transferred for use under the “Science, Aeronautics*
15 *and Technology” account of the National Aeronautics and*
16 *Space Administration, and shall be transferred for use*
17 *under the “HOME investment partnership program” ac-*
18 *count of the Department of Housing and Urban Develop-*
19 *ment for the production of mixed-income housing for which*
20 *this amount shall be used to assist the construction of units*
21 *that serve extremely low-income families, and shall be*
22 *transferred for use under the “Housing for Special Popu-*
23 *lations” account of the Department of Housing and Urban*
24 *Development: Provided further, That the Secretary shall*
25 *have until September 30, 2002, to meet the rescissions in*

1 *the preceding provisos: Provided further, That any obligated*
 2 *balances of contract authority that have been terminated*
 3 *shall be canceled.*

4 *PUBLIC HOUSING CAPITAL FUND*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For the Public Housing Capital Fund Program to*
 7 *carry out capital and management activities for public*
 8 *housing agencies, as authorized under section 9 of the*
 9 *United States Housing Act of 1937, as amended (42 U.S.C.*
 10 *1437), \$2,943,400,000, to remain available until September*
 11 *30, 2003, of which up to \$50,000,000 shall be for carrying*
 12 *out activities under section 9(h) of such Act, up to \$500,000*
 13 *shall be for lease adjustments to section 23 projects and no*
 14 *less than \$43,000,000 shall be transferred to the Working*
 15 *Capital Fund for the development and maintenance of in-*
 16 *formation technology systems: Provided, That no funds may*
 17 *be used under this heading for the purposes specified in sec-*
 18 *tion 9(k) of the United States Housing Act of 1937, as*
 19 *amended: Provided further, That of the total amount, up*
 20 *to \$75,000,000 shall be available for the Secretary of Hous-*
 21 *ing and Urban Development to make grants to public hous-*
 22 *ing agencies for emergency capital needs resulting from*
 23 *emergencies and natural disasters in fiscal year 2002.*

24 *PUBLIC HOUSING OPERATING FUND*

25 *For payments to public housing agencies for the oper-*
 26 *ation and management of public housing, as authorized by*

1 *section 9(e) of the United States Housing Act of 1937, as*
 2 *amended (42 U.S.C. 1437g), \$3,384,868,000, to remain*
 3 *available until September 30, 2003: Provided, That no*
 4 *funds may be used under this heading for the purposes spec-*
 5 *ified in section 9(k) of the United States Housing Act of*
 6 *1937, as amended.*

7 *DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING*

8 *For grants to public housing agencies and Indian*
 9 *tribes and their tribally designated housing entities for use*
 10 *in eliminating crime in public housing projects authorized*
 11 *by 42 U.S.C. 11901–11908, for grants for federally assisted*
 12 *low-income housing authorized by 42 U.S.C. 11909, and for*
 13 *drug information clearinghouse services authorized by 42*
 14 *U.S.C. 11921–11925, \$300,000,000, to remain available*
 15 *until expended: Provided, That of the total amount provided*
 16 *under this heading, up to \$3,000,000 shall be solely for tech-*
 17 *nical assistance, technical assistance grants, training, and*
 18 *program assessment for or on behalf of public housing agen-*
 19 *cies, resident organizations, and Indian tribes and their*
 20 *tribally designated housing entities (including up to*
 21 *\$150,000 for the cost of necessary travel for participants*
 22 *in such training) for oversight, training and improved*
 23 *management of this program; \$2,000,000 shall be available*
 24 *to the Boys and Girls Clubs of America for the operating*
 25 *and start-up costs of clubs located in or near, and primarily*
 26 *serving residents of, public housing and housing assisted*

1 *under the Native American Housing Assistance and Self-*
2 *Determination Act of 1996: Provided further, That of the*
3 *amount under this heading, \$20,000,000 shall be available*
4 *for the New Approach Anti-Drug program which will pro-*
5 *vide competitive grants to entities managing or operating*
6 *public housing developments, federally assisted multifamily*
7 *housing developments, or other multifamily housing devel-*
8 *opments for low-income families supported by non-Federal*
9 *governmental entities or similar housing developments sup-*
10 *ported by nonprofit private sources in order to provide or*
11 *augment security (including personnel costs), to assist in*
12 *the investigation and/or prosecution of drug-related crimi-*
13 *nal activity in and around such developments, and to pro-*
14 *vide assistance for the development of capital improvements*
15 *at such developments directly relating to the security of such*
16 *developments: Provided further, That grants for the New*
17 *Approach Anti-Drug program shall be made on a competi-*
18 *tive basis as specified in section 102 of the Department of*
19 *Housing and Urban Development Reform Act of 1989.*

20 *REVITALIZATION OF SEVERELY DISTRESSED PUBLIC*

21 *HOUSING (HOPE VI)*

22 *For grants to public housing agencies for demolition,*
23 *site revitalization, replacement housing, and tenant-based*
24 *assistance grants to projects as authorized by section 24 of*
25 *the United States Housing Act of 1937, as amended,*
26 *\$573,735,000 to remain available until September 30, 2003,*

1 *of which the Secretary may use up to \$7,500,000 for tech-*
 2 *nical assistance and contract expertise, to be provided di-*
 3 *rectly or indirectly by grants, contracts or cooperative*
 4 *agreements, including training and cost of necessary travel*
 5 *for participants in such training, by or to officials and em-*
 6 *ployees of the department and of public housing agencies*
 7 *and to residents: Provided, That none of such funds shall*
 8 *be used directly or indirectly by granting competitive ad-*
 9 *vantage in awards to settle litigation or pay judgments, un-*
 10 *less expressly permitted herein.*

11 *NATIVE AMERICAN HOUSING BLOCK GRANTS*

12 *(INCLUDING TRANSFERS OF FUNDS)*

13 *For the Native American Housing Block Grants pro-*
 14 *gram, as authorized under title I of the Native American*
 15 *Housing Assistance and Self-Determination Act of 1996*
 16 *(NAHASDA) (Public Law 104-330), \$648,570,000, to re-*
 17 *main available until expended, of which \$2,200,000 shall*
 18 *be contracted through the Secretary as technical assistance*
 19 *and capacity building to be used by the National American*
 20 *Indian Housing Council in support of the implementation*
 21 *of NAHASDA; \$5,000,000 shall be to support the inspection*
 22 *of Indian housing units, contract expertise, and technical*
 23 *assistance in the training, oversight, and management of*
 24 *Indian housing and tenant-based assistance, including up*
 25 *to \$300,000 for related travel; and no less than \$3,000,000*

1 shall be transferred to the Working Capital Fund for the
2 development and maintenance of information technology
3 systems: Provided, That of the amount provided under this
4 heading, \$5,987,000 shall be made available for the cost of
5 guaranteed notes and other obligations, as authorized by
6 title VI of NAHASDA: Provided further, That such costs,
7 including the costs of modifying such notes and other obli-
8 gations, shall be as defined in section 502 of the Congres-
9 sional Budget Act of 1974, as amended: Provided further,
10 That these funds are available to subsidize the total prin-
11 cipal amount of any notes and other obligations, any part
12 of which is to be guaranteed, not to exceed \$54,600,000: Pro-
13 vided further, That the Secretary of Housing and Urban
14 Development (Secretary) may provide technical and finan-
15 cial assistance to the Turtle Mountain Band of Chippewa
16 for emergency housing, housing assistance, and other assist-
17 ance to address the mold problem at the Turtle Mountain
18 Indian Reservation: Provided further, That the Secretary
19 shall work with the Turtle Mountain Band of Chippewa,
20 the Federal Emergency Management Agency, the Indian
21 Health Service, the Bureau of Indian Affairs, and other ap-
22 propriate Federal agencies in developing a plan to maxi-
23 mize Federal resources to address the emergency housing
24 needs and related problems: Provided further, That for ad-
25 ministrative expenses to carry out the guaranteed loan pro-

1 gram, up to \$150,000 from amounts in the first proviso,
 2 which shall be transferred to and merged with the appro-
 3 priation for “Salaries and expenses”, to be used only for
 4 the administrative costs of these guarantees.

5 *INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM*

6 *ACCOUNT*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For the cost of guaranteed loans, as authorized by sec-*
 9 *tion 184 of the Housing and Community Development Act*
 10 *of 1992 (106 Stat. 3739), \$5,987,000, to remain available*
 11 *until expended: Provided, That such costs, including the*
 12 *costs of modifying such loans, shall be as defined in section*
 13 *502 of the Congressional Budget Act of 1974, as amended:*
 14 *Provided further, That these funds are available to subsidize*
 15 *total loan principal, any part of which is to be guaranteed,*
 16 *not to exceed \$234,283,000.*

17 *In addition, for administrative expenses to carry out*
 18 *the guaranteed loan program, up to \$200,000 from amounts*
 19 *in the first paragraph, which shall be transferred to and*
 20 *merged with the appropriation for “Salaries and expenses”,*
 21 *to be used only for the administrative costs of these guaran-*
 22 *tees.*

23 *NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND*

24 *(INCLUDING TRANSFER OF FUNDS)*

25 *For the cost of guaranteed loans, as authorized by sec-*
 26 *tion 184A of the Housing and Community Development Act*

1 of 1992 (12 U.S.C. 1715z–13a), \$1,000,000, to remain
 2 available until expended: *Provided, That such costs, includ-*
 3 *ing the costs of modifying such loans, shall be as defined*
 4 *in section 502 of the Congressional Budget Act of 1974, as*
 5 *amended: Provided further, That these funds are available*
 6 *to subsidize total loan principal, any part of which is to*
 7 *be guaranteed, not to exceed \$40,000,000.*

8 *In addition, for administrative expenses to carry out*
 9 *the guaranteed loan program, up to \$35,000 from amounts*
 10 *in the first paragraph, which shall be transferred to and*
 11 *merged with the appropriation for “Salaries and expenses”,*
 12 *to be used only for the administrative costs of these guaran-*
 13 *tees.*

14 COMMUNITY PLANNING AND DEVELOPMENT

15 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

16 *For carrying out the Housing Opportunities for Per-*
 17 *sons with AIDS program, as authorized by the AIDS Hous-*
 18 *ing Opportunity Act (42 U.S.C. 12901), \$277,432,000, to*
 19 *remain available until September 30, 2003: Provided, That*
 20 *the Secretary shall renew all expiring contracts that were*
 21 *funded under section 854(c)(3) of such Act that meet all*
 22 *program requirements before awarding funds for new con-*
 23 *tracts and activities authorized under this section: Provided*
 24 *further, That the Secretary may use up to \$2,000,000 of*

1 *the funds under this heading for training, oversight, and*
 2 *technical assistance activities.*

3 *RURAL HOUSING AND ECONOMIC DEVELOPMENT*

4 *For the Office of Rural Housing and Economic Devel-*
 5 *opment in the Department of Housing and Urban Develop-*
 6 *ment, \$25,000,000 to remain available until expended,*
 7 *which amount shall be awarded by June 1, 2002, to Indian*
 8 *tribes, State housing finance agencies, State community*
 9 *and/or economic development agencies, local rural non-*
 10 *profits and community development corporations to sup-*
 11 *port innovative housing and economic development activi-*
 12 *ties in rural areas: Provided, That all grants shall be*
 13 *awarded on a competitive basis as specified in section 102*
 14 *of the HUD Reform Act.*

15 *EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES*

16 *For grants in connection with a second round of em-*
 17 *powerment zones and enterprise communities, \$75,000,000,*
 18 *to remain available until expended, for “Urban Empower-*
 19 *ment Zones”, as authorized in the Taxpayer Relief Act of*
 20 *1997, including \$5,000,000 for each empowerment zone for*
 21 *use in conjunction with economic development activities*
 22 *consistent with the strategic plan of each empowerment*
 23 *zone.*

1 *COMMUNITY DEVELOPMENT FUND*2 *(INCLUDING TRANSFERS OF FUNDS)*

3 *For assistance to units of State and local government,*
4 *and to other entities, for economic and community develop-*
5 *ment activities, and for other purposes, \$5,012,993,000, to*
6 *remain available until September 30, 2004: Provided, That*
7 *of the amount provided, \$4,801,993,000 is for carrying out*
8 *the community development block grant program under*
9 *title I of the Housing and Community Development Act of*
10 *1974, as amended (the “Act” herein) (42 U.S.C. 5301): Pro-*
11 *vided further, That \$71,000,000 shall be for flexible grants*
12 *to Indian tribes notwithstanding section 106(a)(1) of such*
13 *Act; \$3,000,000 shall be available as a grant to the Housing*
14 *Assistance Council; \$2,600,000 shall be available as a grant*
15 *to the National American Indian Housing Council; and*
16 *\$45,500,000 shall be for grants pursuant to section 107 of*
17 *the Act of which \$4,000,000 shall be made available to sup-*
18 *port Alaska Native serving institutions and Native Hawai-*
19 *ian serving institutions as defined under the Higher Edu-*
20 *cation Act, as amended, and of which \$3,000,000 shall be*
21 *made available to tribal colleges and universities to build,*
22 *expand, renovate and equip their facilities: Provided fur-*
23 *ther, That \$10,000,000 shall be made available to the De-*
24 *partment of Hawaiian Home Lands to provide assistance*
25 *as authorized under the Hawaiian Homelands Homeowner-*

1 ship Act of 2000 (with no more than 5 percent of such funds
 2 being available for administrative costs): Provided further,
 3 That no less than \$15,000,000 shall be transferred to the
 4 Working Capital Fund for the development and mainte-
 5 nance of information technology systems: Provided further,
 6 That \$20,000,000 shall be for grants pursuant to the Self
 7 Help Housing Opportunity Program: Provided further,
 8 That not to exceed 20 percent of any grant made with funds
 9 appropriated herein (other than a grant made available in
 10 this paragraph to the Housing Assistance Council or the
 11 National American Indian Housing Council, or a grant
 12 using funds under section 107(b)(3) of the Act) shall be ex-
 13 pended for “Planning and Management Development” and
 14 “Administration” as defined in regulations promulgated by
 15 the department.

16 Of the amount made available under this heading,
 17 \$28,450,000 shall be made available for capacity building,
 18 of which \$25,000,000 shall be made available for “Capacity
 19 Building for Community Development and Affordable
 20 Housing” for LISC and the Enterprise Foundation, for ac-
 21 tivities as authorized by section 4 of the HUD Demonstra-
 22 tion Act of 1993 (Public Law 103–120), as in effect imme-
 23 diately before June 12, 1997, with not less than \$5,000,000
 24 of the funding to be used in rural areas, including tribal
 25 areas, and of which \$3,450,000 shall be for capacity build-

1 *ing activities administered by Habitat for Humanity Inter-*
2 *national.*

3 *Of the amount made available under this heading, the*
4 *Secretary of Housing and Urban Development may use up*
5 *to \$55,000,000 for supportive services for public housing*
6 *residents, as authorized by section 34 of the United States*
7 *Housing Act of 1937, as amended, and for residents of hous-*
8 *ing assisted under the Native American Housing Assistance*
9 *and Self-Determination Act of 1996 (NAHASDA) and for*
10 *grants for service coordinators and congregate services for*
11 *the elderly and disabled residents of public and assisted*
12 *housing and housing assisted under NAHASDA.*

13 *Of the amount made available under this heading,*
14 *\$80,000,000 is for grants to create or expand community*
15 *technology centers in high poverty urban and rural commu-*
16 *nities and to provide technical assistance to those centers.*

17 *Of the amount made available under this heading,*
18 *\$25,000,000 shall be available for neighborhood initiatives*
19 *that are utilized to improve the conditions of distressed and*
20 *blighted areas and neighborhoods, to stimulate investment,*
21 *economic diversification, and community revitalization in*
22 *areas with population outmigration or a stagnating or de-*
23 *clining economic base, or to determine whether housing ben-*
24 *efits can be integrated more effectively with welfare reform*
25 *initiatives.*

1 *Of the amount made available under this heading, not-*
2 *withstanding any other provision of law, \$70,000,000 shall*
3 *be available for YouthBuild program activities authorized*
4 *by subtitle D of title IV of the Cranston-Gonzalez National*
5 *Affordable Housing Act, as amended, and such activities*
6 *shall be an eligible activity with respect to any funds made*
7 *available under this heading: Provided, That local*
8 *YouthBuild programs that demonstrate an ability to lever-*
9 *age private and nonprofit funding shall be given a priority*
10 *for YouthBuild funding: Provided further, That no more*
11 *than ten percent of any grant award may be used for ad-*
12 *ministrative costs: Provided further, That not less than*
13 *\$10,000,000 shall be available for grants to establish*
14 *Youthbuild programs in underserved and rural areas: Pro-*
15 *vided further, That of the amount provided under this para-*
16 *graph, \$2,000,000 shall be set aside and made available for*
17 *a grant to YouthBuild USA for capacity building for com-*
18 *munity development and affordable housing activities as*
19 *specified in section 4 of the HUD Demonstration Act of*
20 *1993, as amended.*

21 *Of the amount made available under this heading,*
22 *\$140,000,000 shall be available for grants for the Economic*
23 *Development Initiative (EDI) to finance a variety of eco-*
24 *nomie development efforts in accordance with the terms and*

1 *conditions specified for such grants in the Senate report ac-*
 2 *companying this Act.*

3 *COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM*

4 *ACCOUNT*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For the cost of guaranteed loans, \$14,000,000, as au-*
 7 *thorized by section 108 of the Housing and Community De-*
 8 *velopment Act of 1974, as amended: Provided, That such*
 9 *costs, including the cost of modifying such loans, shall be*
 10 *as defined in section 502 of the Congressional Budget Act*
 11 *of 1974, as amended: Provided further, That these funds are*
 12 *available to subsidize total loan principal, any part of*
 13 *which is to be guaranteed, not to exceed \$608,696,000, not-*
 14 *withstanding any aggregate limitation on outstanding obli-*
 15 *gations guaranteed in section 108(k) of the Housing and*
 16 *Community Development Act of 1974, as amended: Pro-*
 17 *vided further, That in addition, for administrative expenses*
 18 *to carry out the guaranteed loan program, \$1,000,000,*
 19 *which shall be transferred to and merged with the appro-*
 20 *priation for "Salaries and expenses".*

21 *BROWNFIELDS REDEVELOPMENT*

22 *For Economic Development Grants, as authorized by*
 23 *section 108(q) of the Housing and Community Development*
 24 *Act of 1974, as amended, for Brownfields redevelopment*
 25 *projects, \$25,000,000, to remain available until September*
 26 *30, 2003: Provided, That the Secretary of Housing and*

1 *Urban Development shall make these grants available on*
 2 *a competitive basis as specified in section 102 of the De-*
 3 *partment of Housing and Urban Development Reform Act*
 4 *of 1989.*

5 *HOME INVESTMENT PARTNERSHIPS PROGRAM*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For the HOME investment partnerships program, as*
 8 *authorized under title II of the Cranston-Gonzalez National*
 9 *Affordable Housing Act, as amended, \$1,796,040,000 to re-*
 10 *main available until September 30, 2004, of which up to*
 11 *\$20,000,000 of these funds shall be available for Housing*
 12 *Counseling under section 106 of the Housing and Urban*
 13 *Development Act of 1968; and of which no less than*
 14 *\$17,000,000 shall be transferred to the Working Capital*
 15 *Fund for the development and maintenance of information*
 16 *technology systems.*

17 *HOMELESS ASSISTANCE GRANTS*

18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For the emergency shelter grants program as author-*
 20 *ized under subtitle B of title IV of the McKinney-Vento*
 21 *Homeless Assistance Act, as amended; the supportive hous-*
 22 *ing program as authorized under subtitle C of title IV of*
 23 *such Act; the section 8 moderate rehabilitation single room*
 24 *occupancy program as authorized under the United States*
 25 *Housing Act of 1937, as amended, to assist homeless indi-*
 26 *viduals pursuant to section 441 of the McKinney-Vento*

1 *Homeless Assistance Act; and the shelter plus care program*
 2 *as authorized under subtitle F of title IV of such Act,*
 3 *\$1,022,745,000, to remain available until September 30,*
 4 *2004: Provided, That not less than 30 percent of these funds*
 5 *shall be used for permanent housing, and all funding for*
 6 *services must be matched by 25 percent in funding by each*
 7 *grantee: Provided further, That all awards of assistance*
 8 *under this heading shall be required to coordinate and inte-*
 9 *grate homeless programs with other mainstream health, so-*
 10 *cial services, and employment programs for which homeless*
 11 *populations may be eligible, including Medicaid, State*
 12 *Children's Health Insurance Program, Temporary Assist-*
 13 *ance for Needy Families, Food Stamps, and services fund-*
 14 *ing through the Mental Health and Substance Abuse Block*
 15 *Grant, Workforce Investment Act, and the Welfare-to-Work*
 16 *grant program: Provided further, That no less than*
 17 *\$14,200,000 of the funds appropriated under this heading*
 18 *is transferred to the Working Capital Fund to be used for*
 19 *technical assistance for management information systems*
 20 *and to develop an automated, client-level Annual Perform-*
 21 *ance Report System: Provided further, That \$500,000 shall*
 22 *be made available to the Interagency Council on the Home-*
 23 *less for administrative needs.*

24 *SHELTER PLUS CARE RENEWALS*

25 *For the renewal on an annual basis of contracts expir-*
 26 *ing during fiscal years 2002 and 2003 or amendment of*

1 *contracts funded under the Shelter Plus Care program, as*
 2 *authorized under subtitle F of title IV of the McKinney-*
 3 *Vento Homeless Assistance Act, as amended, \$99,780,000,*
 4 *to remain available until expended: Provided, That each*
 5 *Shelter Plus Care project with an expiring contract shall*
 6 *be eligible for renewal only if the project is determined to*
 7 *be needed under the applicable continuum of care and meets*
 8 *appropriate program requirements and financial stand-*
 9 *ards, as determined by the Secretary.*

10 *HOUSING PROGRAMS*

11 *HOUSING FOR SPECIAL POPULATIONS*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For assistance for the purchase, construction, acquisi-*
 14 *tion, or development of additional public and subsidized*
 15 *housing units for low income families not otherwise pro-*
 16 *vided for, \$1,001,009,000, to remain available until ex-*
 17 *pended: Provided, That \$783,286,000 shall be for capital*
 18 *advances, including amendments to capital advance con-*
 19 *tracts, for housing for the elderly, as authorized by section*
 20 *202 of the Housing Act of 1959, as amended, and for project*
 21 *rental assistance, and amendments to contracts for project*
 22 *rental assistance, for the elderly under such section*
 23 *202(c)(2), and for supportive services associated with the*
 24 *housing, of which amount \$50,000,000 shall be for service*
 25 *coordinators and the continuation of existing congregate*
 26 *service grants for residents of assisted housing projects, of*

1 *which amount up to \$3,000,000 shall be available to renew*
2 *expiring project rental assistance contracts for up to a one-*
3 *year term, and of which amount \$50,000,000 shall be for*
4 *grants under section 202b of the Housing Act of 1959 (12*
5 *U.S.C. 1701q-2) for conversion of eligible projects under*
6 *such section to assisted living or related use: Provided fur-*
7 *ther, That of the amount under this heading, \$217,723,000*
8 *shall be for capital advances, including amendments to cap-*
9 *ital advance contracts, for supportive housing for persons*
10 *with disabilities, as authorized by section 811 of the Cran-*
11 *ston-Gonzalez National Affordable Housing Act, for project*
12 *rental assistance, for amendments to contracts for project*
13 *rental assistance, and supportive services associated with*
14 *the housing for persons with disabilities as authorized by*
15 *section 811 of such Act, of which up to \$1,200,000 shall*
16 *be available to renew expiring project rental assistance con-*
17 *tracts for up to a one-year term: Provided further, That*
18 *no less than \$3,000,000, to be divided evenly between the*
19 *appropriations for the section 202 and section 811 pro-*
20 *grams, shall be transferred to the Working Capital Fund*
21 *for the development and maintenance of information tech-*
22 *nology systems: Provided further, That the Secretary may*
23 *designate up to 25 percent of the amounts earmarked under*
24 *this paragraph for section 811 of such Act for tenant-based*
25 *assistance, as authorized under that section, including such*

1 *authority as may be waived under the next proviso, which*
 2 *assistance is five years in duration: Provided further, That*
 3 *the Secretary may waive any provision of such section 202*
 4 *and such section 811 (including the provisions governing*
 5 *the terms and conditions of project rental assistance and*
 6 *tenant-based assistance) that the Secretary determines is*
 7 *not necessary to achieve the objectives of these programs,*
 8 *or that otherwise impedes the ability to develop, operate,*
 9 *or administer projects assisted under these programs, and*
 10 *may make provision for alternative conditions or terms*
 11 *where appropriate.*

12 *FLEXIBLE SUBSIDY FUND*

13 *(TRANSFER OF FUNDS)*

14 *From the Rental Housing Assistance Fund, all uncom-*
 15 *mited balances of excess rental charges as of September 30,*
 16 *2001, and any collections made during fiscal year 2002,*
 17 *shall be transferred to the Flexible Subsidy Fund, as author-*
 18 *ized by section 236(g) of the National Housing Act, as*
 19 *amended.*

20 *MANUFACTURED HOUSING FEES TRUST FUND*

21 *(INCLUDING TRANSFERS OF FUNDS)*

22 *For necessary expenses as authorized by the National*
 23 *Manufactured Housing Construction and Safety Standards*
 24 *Act of 1974, as amended (42 U.S.C. 5401 et seq.),*
 25 *\$17,254,000, to remain available until expended, to be de-*
 26 *rived from the Manufactured Housing Fees Trust Fund:*

1 *Provided, That not to exceed the amount appropriated*
 2 *under this heading shall be available from the general fund*
 3 *of the Treasury to the extent necessary to incur obligations*
 4 *and make expenditures pending the receipt of collections to*
 5 *the Fund pursuant to section 620 of such Act: Provided fur-*
 6 *ther, That the amount made available under this heading*
 7 *from the general fund shall be reduced as such collections*
 8 *are received during fiscal year 2002 so as to result in a*
 9 *final fiscal year 2002 appropriation from the general fund*
 10 *estimated at not more than \$0.*

11 *FEDERAL HOUSING ADMINISTRATION*
 12 *MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT*
 13 *(INCLUDING TRANSFERS OF FUNDS)*

14 *During fiscal year 2002, commitments to guarantee*
 15 *loans to carry out the purposes of section 203(b) of the Na-*
 16 *tional Housing Act, as amended, shall not exceed a loan*
 17 *principal of \$160,000,000,000.*

18 *During fiscal year 2002, obligations to make direct*
 19 *loans to carry out the purposes of section 204(g) of the Na-*
 20 *tional Housing Act, as amended, shall not exceed*
 21 *\$250,000,000: Provided, That the foregoing amount shall be*
 22 *for loans to nonprofit and governmental entities in connec-*
 23 *tion with sales of single family real properties owned by*
 24 *the Secretary and formerly insured under the Mutual Mort-*
 25 *gage Insurance Fund.*

1 *For administrative expenses necessary to carry out the*
2 *guaranteed and direct loan program, \$336,700,000, of*
3 *which not to exceed \$332,678,000 shall be transferred to the*
4 *appropriation for “Salaries and expenses”; and not to ex-*
5 *ceed \$4,022,000 shall be transferred to the appropriation*
6 *for “Office of Inspector General”. In addition, for adminis-*
7 *trative contract expenses, \$160,000,000: Provided, That a*
8 *combined total of \$160,000,000 from amounts appropriated*
9 *for administrative contract expenses under this heading or*
10 *the heading “FHA—General and Special Risk Program*
11 *Account” shall be transferred to the Working Capital Fund*
12 *for the development and maintenance of information tech-*
13 *nology systems: Provided further, That to the extent guaran-*
14 *teed loan commitments exceed \$65,500,000,000 on or before*
15 *April 1, 2002 an additional \$1,400 for administrative con-*
16 *tract expenses shall be available for each \$1,000,000 in ad-*
17 *ditional guaranteed loan commitments (including a pro*
18 *rata amount for any amount below \$1,000,000), but in no*
19 *case shall funds made available by this proviso exceed*
20 *\$16,000,000.*

21 *GENERAL AND SPECIAL RISK PROGRAM ACCOUNT*

22 *(INCLUDING TRANSFERS OF FUNDS)*

23 *For the cost of guaranteed loans, as authorized by sec-*
24 *tions 238 and 519 of the National Housing Act (12 U.S.C.*
25 *1715z–3 and 1735c), including the cost of loan guarantee*
26 *modifications as that term is defined in section 502 of the*

1 *Congressional Budget Act of 1974, as amended,*
2 *\$15,000,000, to remain available until expended: Provided,*
3 *That these funds are available to subsidize total loan prin-*
4 *cipal, any part of which is to be guaranteed, of up to*
5 *\$21,000,000,000: Provided further, That any amounts made*
6 *available in any prior appropriations Act for the cost (as*
7 *such term is defined in section 502 of the Congressional*
8 *Budget Act of 1974) of guaranteed loans that are obliga-*
9 *tions of the funds established under section 238 or 519 of*
10 *the National Housing Act that have not been obligated or*
11 *that are deobligated shall be available to the Secretary of*
12 *Housing and Urban Development in connection with the*
13 *making of such guarantees and shall remain available until*
14 *expended, notwithstanding the expiration of any period of*
15 *availability otherwise applicable to such amounts.*

16 *Gross obligations for the principal amount of direct*
17 *loans, as authorized by sections 204(g), 207(l), 238, and*
18 *519(a) of the National Housing Act, shall not exceed*
19 *\$50,000,000, of which not to exceed \$30,000,000 shall be for*
20 *bridge financing in connection with the sale of multifamily*
21 *real properties owned by the Secretary and formerly in-*
22 *sured under such Act; and of which not to exceed*
23 *\$20,000,000 shall be for loans to nonprofit and govern-*
24 *mental entities in connection with the sale of single-family*

1 *real properties owned by the Secretary and formerly in-*
 2 *sured under such Act.*

3 *In addition, for administrative expenses necessary to*
 4 *carry out the guaranteed and direct loan programs,*
 5 *\$216,100,000, of which \$197,779,000, shall be transferred*
 6 *to the appropriation for “Salaries and expenses”; and of*
 7 *which \$18,321,000 shall be transferred to the appropriation*
 8 *for “Office of Inspector General”. In addition, for adminis-*
 9 *trative contract expenses necessary to carry out the guaran-*
 10 *teed and direct loan programs, \$144,000,000: Provided,*
 11 *That to the extent guaranteed loan commitments exceed*
 12 *\$8,426,000,000 on or before April 1, 2002, an additional*
 13 *\$19,800,000 for administrative contract expenses shall be*
 14 *available for each \$1,000,000 in additional guaranteed loan*
 15 *commitments over \$8,426,000,000 (including a pro rata*
 16 *amount for any increment below \$1,000,000), but in no case*
 17 *shall funds made available by this proviso exceed*
 18 *\$14,400,000.*

19 *GOVERNMENT NATIONAL MORTGAGE ASSOCIATION*
 20 *(GNMA)*

21 *GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN*
 22 *GUARANTEE PROGRAM ACCOUNT*
 23 *(INCLUDING TRANSFER OF FUNDS)*

24 *New commitments to issue guarantees to carry out the*
 25 *purposes of section 306 of the National Housing Act, as*
 26 *amended (12 U.S.C. 1721(g)), shall not exceed*

1 \$200,000,000,000, to remain available until September 30,
2 2003.

3 *For administrative expenses necessary to carry out the*
4 *guaranteed mortgage-backed securities program, \$9,383,000*
5 *to be derived from the GNMA guarantees of mortgage-*
6 *backed securities guaranteed loan receipt account, of which*
7 *not to exceed \$9,383,000 shall be transferred to the appro-*
8 *priation for “Salaries and expenses”.*

9 *POLICY DEVELOPMENT AND RESEARCH*

10 *RESEARCH AND TECHNOLOGY*

11 *For contracts, grants, and necessary expenses of pro-*
12 *grams of research and studies relating to housing and*
13 *urban problems, not otherwise provided for, as authorized*
14 *by title V of the Housing and Urban Development Act of*
15 *1970, as amended (12 U.S.C. 1701z–1 et seq.), including*
16 *carrying out the functions of the Secretary under section*
17 *1(a)(1)(i) of Reorganization Plan No. 2 of 1968,*
18 *\$53,404,000, to remain available until September 30, 2003:*
19 *Provided, That \$3,000,000 shall be for program evaluation*
20 *to support strategic planning, performance measurement,*
21 *and their coordination with the Department’s budget proc-*
22 *ess: Provided further, That of the amount provided under*
23 *this heading, \$10,000,000 shall be for the Partnership for*
24 *Advanced Technology in Housing.*

1 *FAIR HOUSING AND EQUAL OPPORTUNITY*

2 *FAIR HOUSING ACTIVITIES*

3 *For contracts, grants, and other assistance, not other-*
4 *wise provided for, as authorized by title VIII of the Civil*
5 *Rights Act of 1968, as amended by the Fair Housing*
6 *Amendments Act of 1988, and section 561 of the Housing*
7 *and Community Development Act of 1987, as amended,*
8 *\$45,899,000, to remain available until September 30, 2003,*
9 *of which \$24,000,000 shall be to carry out activities pursu-*
10 *ant to such section 561: Provided, That no funds made*
11 *available under this heading shall be used to lobby the exec-*
12 *utive or legislative branches of the Federal Government in*
13 *connection with a specific contract, grant or loan.*

14 *OFFICE OF LEAD HAZARD CONTROL*

15 *LEAD HAZARD REDUCTION*

16 *For the Lead Hazard Reduction Program, as author-*
17 *ized by sections 1011 and 1053 of the Residential Lead-*
18 *Based Hazard Reduction Act of 1992, \$109,758,000 to re-*
19 *main available until September 30, 2003, of which*
20 *\$10,000,000 shall be for the Healthy Homes Initiative, pur-*
21 *suant to sections 501 and 502 of the Housing and Urban*
22 *Development Act of 1970 that shall include research, stud-*
23 *ies, testing, and demonstration efforts, including education*
24 *and outreach concerning lead-based paint poisoning and*
25 *other housing-related diseases and hazards: Provided, That*

1 *of the amounts provided under this heading, \$1,000,000*
 2 *shall be for the National Center for Lead-Safe Housing:*
 3 *Provided further, That of the amounts provided under this*
 4 *heading, \$750,000 shall be for CLEARCorps.*

5 *MANAGEMENT AND ADMINISTRATION*

6 *SALARIES AND EXPENSES*

7 *(INCLUDING TRANSFERS OF FUNDS)*

8 *For necessary administrative and non-administrative*
 9 *expenses of the Department of Housing and Urban Develop-*
 10 *ment, not otherwise provided for, including not to exceed*
 11 *\$7,000 for official reception and representation expenses,*
 12 *\$1,087,257,000, of which \$530,457,000 shall be provided*
 13 *from the various funds of the Federal Housing Administra-*
 14 *tion, \$9,383,000 shall be provided from funds of the Govern-*
 15 *ment National Mortgage Association, \$1,000,000 shall be*
 16 *provided from the “Community development fund” account,*
 17 *\$150,000 shall be provided by transfer from the “Title VI*
 18 *Indian federal guarantees program” account, \$200,000*
 19 *shall be provided by transfer from the “Indian housing loan*
 20 *guarantee fund program” account and \$35,000 shall be*
 21 *transferred from the Native Hawaiian Housing Loan Guar-*
 22 *antee Fund: Provided, That no less than \$85,000,000 shall*
 23 *be transferred to the Working Capital Fund for the develop-*
 24 *ment and maintenance of Information Technology Systems:*
 25 *Provided further, That the Secretary shall fill 7 out of 10*
 26 *vacancies at the GS–14 and GS–15 levels until the total*

1 *number of GS-14 and GS-15 positions in the Department*
 2 *has been reduced from the number of GS-14 and GS-15*
 3 *positions on the date of enactment of Public Law 106-377*
 4 *by two and one-half percent: Provided further, That of the*
 5 *amount under this heading, \$1,500,000 shall be for nec-*
 6 *essary expenses of the Millenial Housing Commission, as*
 7 *authorized by Public Law 106-74 with the final report due*
 8 *no later than August 30, 2002.*

9 *OFFICE OF INSPECTOR GENERAL*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For necessary expenses of the Office of Inspector Gen-*
 12 *eral in carrying out the Inspector General Act of 1978, as*
 13 *amended, \$88,898,000, of which \$22,343,000 shall be pro-*
 14 *vided from the various funds of the Federal Housing Ad-*
 15 *ministration: Provided, That the Inspector General shall*
 16 *have independent authority over all personnel issues within*
 17 *the Office of Inspector General.*

18 *CONSOLIDATED FEE FUND*

19 *(RESCISSION)*

20 *Of the balances remaining available from fees and*
 21 *charges under section 7(j) of the Department of Housing*
 22 *and Urban Development Act, \$6,700,000 are rescinded.*

1 *OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT*
2 *SALARIES AND EXPENSES*
3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For carrying out the Federal Housing Enterprise Fi-*
5 *nancial Safety and Soundness Act of 1992, including not*
6 *to exceed \$500 for official reception and representation ex-*
7 *penses, \$27,000,000, to remain available until expended, to*
8 *be derived from the Federal Housing Enterprise Oversight*
9 *Fund: Provided, That not to exceed such amount shall be*
10 *available from the general fund of the Treasury to the extent*
11 *necessary to incur obligations and make expenditures pend-*
12 *ing the receipt of collections to the Fund: Provided further,*
13 *That the general fund amount shall be reduced as collections*
14 *are received during the fiscal year so as to result in a final*
15 *appropriation from the general fund estimated at not more*
16 *than \$0: Provided further, That this Office shall submit a*
17 *staffing plan to the House and Senate Committees on Ap-*
18 *propriations no later than January 30, 2002.*

19 *ADMINISTRATIVE PROVISIONS*

20 *SEC. 201. Fifty percent of the amounts of budget au-*
21 *thority, or in lieu thereof 50 percent of the cash amounts*
22 *associated with such budget authority, that are recaptured*
23 *from projects described in section 1012(a) of the McKinney-*
24 *Vento Homeless Assistance Amendments Act of 1988 (Public*
25 *Law 100–628; 102 Stat. 3224, 3268) shall be rescinded, or*
26 *in the case of cash, shall be remitted to the Treasury, and*

1 *such amounts of budget authority or cash recaptured and*
2 *not rescinded or remitted to the Treasury shall be used by*
3 *State housing finance agencies or local governments or local*
4 *housing agencies with projects approved by the Secretary*
5 *of Housing and Urban Development for which settlement*
6 *occurred after January 1, 1992, in accordance with such*
7 *section. Notwithstanding the previous sentence, the Sec-*
8 *retary may award up to 15 percent of the budget authority*
9 *or cash recaptured and not rescinded or remitted to the*
10 *Treasury to provide project owners with incentives to refi-*
11 *nance their project at a lower interest rate.*

12 *SEC. 202. None of the amounts made available under*
13 *this Act may be used during fiscal year 2002 to investigate*
14 *or prosecute under the Fair Housing Act any otherwise law-*
15 *ful activity engaged in by one or more persons, including*
16 *the filing or maintaining of a non-frivolous legal action,*
17 *that is engaged in solely for the purpose of achieving or*
18 *preventing action by a Government official or entity, or a*
19 *court of competent jurisdiction.*

20 *SEC. 203. (a) Notwithstanding section 854(c)(1)(A) of*
21 *the AIDS Housing Opportunity Act (42 U.S.C.*
22 *12903(c)(1)(A)), from any amounts made available under*
23 *this title for fiscal year 2002 that are allocated under such*
24 *section, the Secretary of Housing and Urban Development*

1 *shall allocate and make a grant, in the amount determined*
 2 *under subsection (b), for any State that—*

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

5 *(2) is not otherwise eligible for an allocation for*
 6 *fiscal year 2002 under such clause (ii) because the*
 7 *areas in the State outside of the metropolitan statis-*
 8 *tical areas that qualify under clause (i) in fiscal year*
 9 *2002 do not have the number of cases of acquired im-*
 10 *munodeficiency syndrome (AIDS) required under*
 11 *such clause.*

12 *(b) The amount of the allocation and grant for any*
 13 *State described in subsection (a) shall be an amount based*
 14 *on the cumulative number of AIDS cases in the areas of*
 15 *that State that are outside of metropolitan statistical areas*
 16 *that qualify under clause (i) of such section 854(c)(1)(A)*
 17 *in fiscal year 2002, in proportion to AIDS cases among*
 18 *cities and States that qualify under clauses (i) and (ii) of*
 19 *such section and States deemed eligible under subsection*
 20 *(a).*

21 *SEC. 204. Section 225 of the Department of Veterans*
 22 *Affairs and Housing and Urban Development, and Inde-*
 23 *pendent Agencies Appropriations Act, 2000, Public Law*
 24 *106–74, is amended by inserting “and fiscal year 2002”*
 25 *after “fiscal year 2001”.*

1 *SEC. 205. Section 236(g)(3)(A) of the National Hous-*
 2 *ing Act is amended by striking out “fiscal years 2000 and*
 3 *2001” and inserting in lieu thereof “fiscal years 2000, 2001,*
 4 *and 2002”.*

5 *SEC. 206. Section 223(f)(1) of the National Housing*
 6 *Act is amended by inserting “purchase or” immediately be-*
 7 *fore “refinancing of existing debt”.*

8 *SEC. 207. Section 106(c)(9) of the Housing and Urban*
 9 *Development Act of 1968 is repealed.*

10 *SEC. 208. Section 251 of the National Housing Act*
 11 *is amended—*

12 *(1) in subsection (b), by striking “issue regula-*
 13 *tions” and all that follows and inserting the fol-*
 14 *lowing: “require that the mortgagee make available to*
 15 *the mortgagor, at the time of loan application, a*
 16 *written explanation of the features of an adjustable*
 17 *rate mortgage consistent with the disclosure require-*
 18 *ments applicable to variable rate mortgages secured*
 19 *by a principal dwelling under the Truth in Lending*
 20 *Act.”; and*

21 *(2) by adding the following new subsection at the*
 22 *end:*

23 *“(d)(1) The Secretary may insure under this sub-*
 24 *section a mortgage that meets the requirements of subsection*
 25 *(a), except that the effective rate of interest—*

1 “(A) shall be fixed for a period of not less than
2 the first 3 years of the mortgage term;

3 “(B) shall be adjusted by the mortgagee initially
4 upon the expiration of such period and annually
5 thereafter; and

6 “(C) in the case of the initial interest rate ad-
7 justment, is subject to the one percent limitation only
8 if the interest rate remained fixed for five or fewer
9 years.

10 “(2) The disclosure required under subsection (b) shall
11 be required for a mortgage insured under this subsection.”.

12 SEC. 209. (a) Section 203(c) of the National Housing
13 Act is amended—

14 (1) in paragraph (1), by striking “and (k)” and
15 inserting “or (k)”; and

16 (2) in paragraph (2)—

17 (A) by inserting immediately after “sub-
18 section (v),” the following: “and each mortgage
19 that is insured under subsection (k) or section
20 234(c),”; and

21 (B) by striking “and executed on or after
22 October 1, 1994,”.

23 (b) The amendments made by subsection (a) shall
24 apply only to mortgages that are executed on or after the
25 date of enactment of this Act or a later date determined

1 *by the Secretary and announced by notice in the Federal*
2 *Register.*

3 *SEC. 210. Section 242(d)(4) of the National Housing*
4 *Act is amended to read as follows:*

5 *“(4)(A) The Secretary, in conjunction with the*
6 *Secretary of Health and Human Services, shall re-*
7 *quire satisfactory evidence that the hospital will be lo-*
8 *cated in a State or political subdivision of a State*
9 *with reasonable minimum standards of licensure and*
10 *methods of operation for hospitals and satisfactory as-*
11 *urance that such standards will be applied and en-*
12 *forced with respect to the hospital.*

13 *“(B) The Secretary shall establish the means for*
14 *determining need and feasibility for the hospital. If*
15 *the State has an official procedure for determining*
16 *need for hospitals, the Secretary shall also require*
17 *that such procedure be followed before the application*
18 *for insurance is submitted, and the application shall*
19 *document that need has also been established under*
20 *that procedure.”.*

21 *SEC. 211. Section 232(d)(4)(A) of the National Hous-*
22 *ing Act is amended to read as follows:*

23 *“(A)(i) The Secretary, in conjunction with*
24 *the Secretary of Health and Human Services,*
25 *shall require satisfactory evidence that a nursing*

1 *home, intermediate care facility, or combined*
2 *nursing home and intermediate care facility will*
3 *be located in a State or political subdivision of*
4 *a State with reasonable minimum standards of*
5 *licensure and methods of operation for such*
6 *homes, facilities, or combined homes and facili-*
7 *ties. The Secretary shall also require satisfactory*
8 *assurance that such standards will be applied*
9 *and enforced with respect to the home, facility,*
10 *or combined home or facility.*

11 *“(i) The Secretary shall establish the*
12 *means for determining need and feasibility for*
13 *the home, facility, or combined home and facil-*
14 *ity. If the State has an official procedure for de-*
15 *termining need for such homes, facilities, or com-*
16 *bined homes and facilities, the Secretary shall*
17 *also require that such procedure be followed be-*
18 *fore the application for insurance is submitted,*
19 *and the application shall document that need*
20 *has also been established under that procedure.”.*

21 *SEC. 212. Section 533 of the National Housing Act*
22 *is amended to read as follows:*

23 *“SEC. 533. REVIEW OF MORTGAGEE PERFORMANCE*
24 *AND AUTHORITY TO TERMINATE.—*

1 “(a) *PERIODIC REVIEW OF MORTGAGEE PERFORM-*
2 *ANCE.—To reduce losses in connection with single family*
3 *mortgage insurance programs under this Act, at least once*
4 *a year the Secretary shall review the rate of early defaults*
5 *and claims for insured single family mortgages originated*
6 *or underwritten by each mortgagee.*

7 “(b) *COMPARISON WITH OTHER MORTGAGEES.—For*
8 *each mortgagee, the Secretary shall compare the rate of*
9 *early defaults and claims for insured single family mort-*
10 *gage loans originated or underwritten by the mortgagee in*
11 *an area with the rate of early defaults and claims for other*
12 *mortgagees originating or underwriting insured single fam-*
13 *ily mortgage loans in the area. For purposes of this section,*
14 *the term “area” means each geographic area in which the*
15 *mortgagee is authorized by the Secretary to originate in-*
16 *sured single family mortgages.*

17 “(c) *TERMINATION OF MORTGAGEE ORIGINATION AP-*
18 *PROVAL.—(1) Notwithstanding section 202(c) of this Act,*
19 *the Secretary may terminate the approval of a mortgagee*
20 *to originate or underwrite single family mortgages if the*
21 *Secretary determines that the mortgage loans originated or*
22 *underwritten by the mortgagee present an unacceptable risk*
23 *to the insurance funds. The determination shall be based*
24 *on the comparison required under subsection (b) and shall*
25 *be made in accordance with regulations of the Secretary.*

1 *The Secretary may rely on existing regulations published*
2 *before this section takes effect.*

3 “(2) *The Secretary shall give a mortgagee at least 60*
4 *days prior written notice of any termination under this*
5 *subsection. The termination shall take effect at the end of*
6 *the notice period, unless the Secretary withdraws the termi-*
7 *nation notice or extends the notice period. If requested in*
8 *writing by the mortgagee within 30 days of the date of the*
9 *notice, the mortgagee shall be entitled to an informal con-*
10 *ference with the official authorized to issue termination no-*
11 *tices on behalf of the Secretary (or a designee of that offi-*
12 *cial). At the informal conference, the mortgagee may present*
13 *for consideration specific factors that it believes were beyond*
14 *its control and that caused the excessive default and claim*
15 *rate.”.*

16 *SEC. 213. Except as explicitly provided in legislation,*
17 *any grant or assistance made pursuant to Title II of this*
18 *Act shall be made in accordance with section 102 of the*
19 *Department of Housing and Urban Development Reform*
20 *Act of 1989 on a competitive basis.*

21 *SEC. 214. Public housing agencies in the State of Alas-*
22 *ka shall not be required to comply with section 2(b) of the*
23 *United States Housing Act of 1937, as amended, during*
24 *fiscal year 2002. Public Housing Authorities in Iowa that*
25 *are a part of a city government shall not be required to*

1 *comply with section 2(b) of the United States Housing Act*
2 *of 1937, as amended, regarding the requirement that a pub-*
3 *lic housing agency shall contain not less than one member*
4 *who is directly assisted by the public housing authority dur-*
5 *ing fiscal year 2002.*

6 *SEC. 215. Notwithstanding any other provision of law,*
7 *in fiscal year 2001 and for each fiscal year thereafter, in*
8 *managing and disposing of any multifamily property that*
9 *is owned or held by the Secretary and is occupied primarily*
10 *by elderly or disabled families, the Secretary of Housing*
11 *and Urban Development shall maintain any rental assist-*
12 *ance payments under section 8 of the United States Hous-*
13 *ing Act of 1937 that are attached to any dwelling units*
14 *in the property. To the extent the Secretary determines that*
15 *such a multifamily property owned or held by the Secretary*
16 *is not feasible for continued rental assistance payments*
17 *under such section 8, the Secretary may, in consultation*
18 *with the tenants of that property, contract for project-based*
19 *rental assistance payments with an owner or owners of*
20 *other existing housing properties or provide other rental as-*
21 *sistance.*

22 *SEC. 216. (a) SECTION 207 LIMITS.—Section*
23 *207(c)(3) of the National Housing Act (12 U.S.C.*
24 *1713(c)(3)) is amended—*

1 (1) by striking “\$30,420”, “\$33,696”, “\$40,248”,
 2 “\$49,608”, and “\$56,160” and inserting “\$38,025”,
 3 “\$42,120”, “\$50,310”, “\$62,010”, and “\$70,200”, re-
 4 spectively;

5 (2) by striking “\$9,000” and inserting
 6 “\$11,250”; and

7 (3) by striking “\$35,100”, “\$39,312”, “\$48,204”,
 8 “\$60,372”, and “\$68,262” and inserting “\$43,875”,
 9 “\$49,140”, “\$60,255”, “\$75,465”, and “\$85,328”, re-
 10 spectively.

11 (b) *SECTION 213 LIMITS.*—Section 213(b)(2) of the
 12 National Housing Act (12 U.S.C. 1715e(b)(2)) is
 13 amended—

14 (1) by striking “\$30,420”, “\$33,696”, “\$40,248”,
 15 “\$49,608”, and “\$56,160” and inserting “\$38,025”,
 16 “\$42,120”, “\$50,310”, “\$62,010”, and “\$70,200”, re-
 17 spectively; and

18 (2) by striking “\$35,100”, “\$39,312”, “\$48,204”,
 19 “\$60,372”, and “\$68,262” and inserting “\$43,875”,
 20 “\$49,140”, “\$60,255”, “\$75,465”, and “\$85,328”, re-
 21 spectively.

22 (c) *SECTION 220 LIMITS.*—Section 220(d)(3)(B)(iii) of
 23 the National Housing Act (12 U.S.C. 1715k(d)(3)(B)(iii))
 24 is amended—

1 (1) by striking “\$30,420”, “\$33,696”, “\$40,248”,
 2 “\$49,608”, and “\$56,160” and inserting “\$38,025”,
 3 “\$42,120”, “\$50,310”, “\$62,010”, and “\$70,200”, re-
 4 spectively; and

5 (2) by striking “\$35,100”, “\$39,312”, “\$48,204”,
 6 “\$60,372”, and “\$68,262” and inserting “\$43,875”,
 7 “\$49,140”, “\$60,255”, “\$75,465”, and “\$85,328”, re-
 8 spectively.

9 (d) SECTION 221(d)(3) LIMITS.—Section 221(d)(3)(ii)
 10 of the National Housing Act (12 U.S.C. 1715l(d)(3)(ii)) is
 11 amended—

12 (1) by striking “\$33,638”, “\$38,785”, “\$46,775”,
 13 “\$59,872”, and “\$66,700” and inserting “\$42,048”,
 14 “\$48,481”, “\$58,469”, “\$74,840”, and “\$83,375”, re-
 15 spectively; and

16 (2) by striking “\$35,400”, “\$40,579”, “\$49,344”,
 17 “\$63,834”, and “\$70,070” and inserting “\$44,250”,
 18 “\$50,724”, “\$61,680”, “\$79,793”, and “\$87,588”, re-
 19 spectively.

20 (e) SECTION 221(d)(4) LIMITS.—Section 221(d)(4)(ii)
 21 of the National Housing Act (12 U.S.C. 1715l(d)(4)(ii)) is
 22 amended—

23 (1) by striking “\$30,274”, “\$34,363”, “\$41,536”,
 24 “\$52,135”, and “\$59,077” and inserting “\$37,843”,

1 “\$42,954”, “\$51,920”, “\$65,169”, and “\$73,846”, re-
 2 spectively; and

3 (2) by striking “\$32,701”, “\$37,487”, “\$45,583”,
 4 “\$58,968”, and “\$64,730” and inserting “\$40,876”,
 5 “\$46,859”, “\$56,979”, “\$73,710”, and “\$80,913”, re-
 6 spectively.

7 (f) *SECTION 231 LIMITS.*—Section 231(c)(2) of the Na-
 8 tional Housing Act (12 U.S.C. 1715v(c)(2)) is amended—

9 (1) by striking “\$28,782”, “\$32,176”, “\$38,423”,
 10 “\$46,238”, and “\$54,360” and inserting “\$35,978”,
 11 “\$40,220”, “\$48,029”, “\$57,798”, “\$67,950”, respec-
 12 tively; and

13 (2) by striking “\$32,701”, “\$37,487”, “\$45,583”,
 14 “\$58,968”, and “\$64,730” and inserting “\$40,876”,
 15 “\$46,859”, “\$56,979”, “\$73,710”, and “\$80,913”, re-
 16 spectively.

17 (g) *SECTION 234 LIMITS.*—Section 234(e)(3) of the
 18 National Housing Act (12 U.S.C. 1715y(e)(3)) is
 19 amended—

20 (1) by striking “\$30,420”, “\$33,696”, “\$40,248”,
 21 “\$49,608”, and “\$56,160” and inserting “\$38,025”,
 22 “\$42,120”, “\$50,310”, “\$62,010”, and “\$70,200”, re-
 23 spectively; and

24 (2) by striking “\$35,100”, “\$39,312”, “\$48,204”,
 25 “\$60,372”, and “\$68,262” and inserting “\$43,875”,

1 “\$49,140”, “\$60,255”, “\$75,465”, and “\$85,328”, re-
 2 spectively.

3 *SEC. 217. Notwithstanding any other provision of law,*
 4 *the Tribal Student Housing Project proposed by the Cook*
 5 *Inlet Housing Authority is authorized to be constructed in*
 6 *accordance with its 1998 Indian Housing Plan from*
 7 *amounts previously appropriated for the benefit of the*
 8 *Housing Authority, a portion of which may be used as a*
 9 *maintenance reserve for the completed project.*

10 *SEC. 218. ENDOWMENT FUNDS. Of the amounts appro-*
 11 *priated in the Consolidated Appropriations Act, 2001 (Pub-*
 12 *lic Law 106–554), for the operation of an historical archive*
 13 *at the University of South Carolina, Department of Ar-*
 14 *chives, South Carolina, such funds shall be available to the*
 15 *University of South Carolina to fund an endowment for*
 16 *the operation of an historical archive at the University of*
 17 *South Carolina, Department of Archives, South Carolina,*
 18 *without fiscal year limitation.*

19 *SEC. 219. HAWAIIAN HOMELANDS. Section 247 of the*
 20 *National Housing Act (12 U.S.C. 1715z–12) is amended—*

21 *(1) in subsection (d), by striking paragraphs (1)*
 22 *and (2) and inserting the following:*

23 *“(1) NATIVE HAWAIIAN.—The term ‘native Ha-*
 24 *waiian’ means any descendant of not less than one-*
 25 *half part of the blood of the races inhabiting the Ha-*

1 *waiian Islands before January 1, 1778, or, in the*
 2 *case of an individual who is awarded an interest in*
 3 *a lease of Hawaiian home lands through transfer or*
 4 *succession, such lower percentage as may be estab-*
 5 *lished for such transfer or succession under section*
 6 *208 or 209 of the Hawaiian Homes Commission Act*
 7 *of 1920 (42 Stat. 111), or under the corresponding*
 8 *provision of the Constitution of the State of Hawaii*
 9 *adopted under section 4 of the Act entitled ‘An Act*
 10 *to provide for the admission of the State of Hawaii*
 11 *into the Union’, approved March 18, 1959 (73 Stat.*
 12 *5).*

13 “(2) *HAWAIIAN HOME LANDS.*—*The term ‘Ha-*
 14 *waiian home lands’ means all lands given the status*
 15 *of Hawaiian home lands under section 204 of the Ha-*
 16 *waiian Homes Commission Act of 1920 (42 Stat.*
 17 *110), or under the corresponding provision of the*
 18 *Constitution of the State of Hawaii adopted under*
 19 *section 4 of the Act entitled ‘An Act to provide for the*
 20 *admission of the State of Hawaii into the Union’, ap-*
 21 *proved March 18, 1959 (73 Stat. 5).’; and*

22 (2) *by adding at the end the following:*

23 “(e) *CERTIFICATION OF ELIGIBILITY FOR EXISTING*
 24 *LESSEES.*—*Possession of a lease of Hawaiian home lands*
 25 *issued under section 207(a) of the Hawaiian Homes Com-*

1 mission Act of 1920 (42 Stat. 110), shall be sufficient to
2 certify eligibility to receive a mortgage under this sub-
3 chapter.”.

4 *SEC. 220. RELEASE OF HOME PROGRAM FUNDS. Not-*
5 *withstanding the requirement regarding commitment of*
6 *funds in the first sentence of section 288(b) of the HOME*
7 *Investment Partnerships Act (42 U.S.C. 12838(b)), the Sec-*
8 *retary of Housing and Urban Development (in this section*
9 *referred to as the “Secretary”) shall approve the release of*
10 *funds under that section to the Arkansas Development Fi-*
11 *nance Authority (in this section referred to as the “ADFA”)*
12 *for projects, if—*

13 *(1) funds were committed to those projects on or*
14 *before June 12, 2001;*

15 *(2) those projects had not been completed as of*
16 *June 12, 2001;*

17 *(3) the ADFA has fully carried out its respon-*
18 *sibilities as described in section 288(a); and*

19 *(4) the Secretary has approved the certification*
20 *that meets the requirements of section 288(c) with re-*
21 *spect to those projects.*

22 *SEC. 221. Notwithstanding any other provision of law*
23 *with respect to this or any other fiscal year, the Housing*
24 *Authority of Baltimore City may use the remaining balance*
25 *of the grant award of \$20,000,000 made to such authority*

1 *for development efforts at Hollander Ridge in Baltimore,*
2 *Maryland with funds appropriated for fiscal year 1996*
3 *under the heading “Public Housing Demolition, Site Revi-*
4 *talization, and Replacement Housing Grants” for the reha-*
5 *bilitation of the Claremont Homes project and for the provi-*
6 *sion of affordable housing in areas within the City of Balti-*
7 *more either (1) designated by the partial consent decree in*
8 *Thompson v. HUD as nonimpacted census tracts or (2) des-*
9 *ignated by said authority as either strong neighborhoods ex-*
10 *periencing private investment or dynamic growth areas*
11 *where public and/or private commercial or residential in-*
12 *vestment is occurring.*

13 *SEC. 222. DISCRIMINATION IN THE SALE OR RENTAL*
14 *OF HOUSING. (a) IN GENERAL.—Any entity that receives*
15 *funds pursuant to this Act, and discriminates in the sale*
16 *or rental of housing against any person because the person*
17 *is, or is perceived to be, a victim of domestic violence, dat-*
18 *ing violence, sexual assault, or stalking, including because*
19 *the person has contacted or received assistance or services*
20 *from law enforcement related to the violence, shall be consid-*
21 *ered to be discriminating against any person in the terms,*
22 *conditions, or privileges of sale or rental of a dwelling, or*
23 *in the provision of services or facilities in connection with*
24 *the sale or rental, because of sex under section 804(b) of*
25 *the Civil Rights Act of 1968 (42 U.S.C. 3604(b)).*

1 (b) *DEFINITIONS.—In this section:*

2 (1) *COURSE OF CONDUCT.—The term “course of*
3 *conduct” means a course of repeatedly maintaining a*
4 *visual or physical proximity to a person or conveying*
5 *verbal or written threats, including threats conveyed*
6 *through electronic communications, or threats implied*
7 *by conduct.*

8 (2) *DATING VIOLENCE.—The term “dating vio-*
9 *lence” has the meaning given the term in section 826*
10 *of the Higher Education Amendments of 1998 (20*
11 *U.S.C. 1152).*

12 (3) *DOMESTIC VIOLENCE.—The term “domestic*
13 *violence” has the meaning given the term in section*
14 *826 of the Higher Education Amendments of 1998*
15 *(20 U.S.C. 1152).*

16 (4) *ELECTRONIC COMMUNICATIONS.—The term*
17 *“electronic communications” includes communica-*
18 *tions via telephone, mobile phone, computer, e-mail,*
19 *video recorder, fax machine, telex, or pager.*

20 (5) *PARENT; SON OR DAUGHTER.—The terms*
21 *“parent” and “son or daughter” have the meanings*
22 *given the terms in section 101 of the Family and*
23 *Medical Leave Act of 1993 (29 U.S.C. 2611).*

24 (6) *REPEATEDLY.—The term “repeatedly” means*
25 *on 2 or more occasions.*

1 (7) *SEXUAL ASSAULT.*—*The term “sexual as-*
 2 *sault” has the meaning given the term in section 826*
 3 *of the Higher Education Amendments of 1998 (20*
 4 *U.S.C. 1152).*

5 (8) *STALKING.*—*The term “stalking” means en-*
 6 *gaging in a course of conduct directed at a specific*
 7 *person that would cause a reasonable person to suffer*
 8 *substantial emotional distress or to fear bodily injury,*
 9 *sexual assault, or death to the person, or the person’s*
 10 *spouse, parent, or son or daughter, or any other per-*
 11 *son who regularly resides in the person’s household, if*
 12 *the conduct causes the specific person to have such*
 13 *distress or fear.*

14 *TITLE III—INDEPENDENT AGENCIES*

15 *AMERICAN BATTLE MONUMENTS COMMISSION*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses, not otherwise provided for, of*
 18 *the American Battle Monuments Commission, including the*
 19 *acquisition of land or interest in land in foreign countries;*
 20 *purchases and repair of uniforms for caretakers of national*
 21 *cemeteries and monuments outside of the United States and*
 22 *its territories and possessions; rent of office and garage*
 23 *space in foreign countries; purchase (one for replacement*
 24 *only) and hire of passenger motor vehicles; and insurance*
 25 *of official motor vehicles in foreign countries, when required*

1 *by law of such countries, \$28,466,000, to remain available*
2 *until expended.*

3 *CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses in carrying out activities pur-*
6 *suant to section 112(r)(6) of the Clean Air Act, including*
7 *hire of passenger vehicles, uniforms or allowances therefor,*
8 *as authorized by 5 U.S.C. 5901–5902, and for services au-*
9 *thorized by 5 U.S.C. 3109, but at rates for individuals not*
10 *to exceed the per diem equivalent to the maximum rate pay-*
11 *able for senior level positions under 5 U.S.C. 5376,*
12 *\$7,621,000, \$5,121,000 of which to remain available until*
13 *September 30, 2002 and \$2,500,000 of which to remain*
14 *available until September 30, 2003: Provided, That the*
15 *Chemical Safety and Hazard Investigation Board shall*
16 *have not more than three career Senior Executive Service*
17 *positions: Provided further, That, hereafter, there shall be*
18 *an Inspector General at the Board who shall have the du-*
19 *ties, responsibilities, and authorities specified in the Inspec-*
20 *tor General Act of 1978, as amended: Provided further,*
21 *That an individual appointed to the position of Inspector*
22 *General of the Federal Emergency Management Agency*
23 *(FEMA) shall, by virtue of such appointment, also hold the*
24 *position of Inspector General of the Board: Provided fur-*
25 *ther, That the Inspector General of the Board shall utilize*

1 *personnel of the Office of Inspector General of FEMA in*
2 *performing the duties of the Inspector General of the Board,*
3 *and shall not appoint any individuals to positions within*
4 *the Board.*

5 *DEPARTMENT OF THE TREASURY*
6 *COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS*
7 *COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS*
8 *FUND PROGRAM ACCOUNT*

9 *To carry out the Community Development Banking*
10 *and Financial Institutions Act of 1994, including services*
11 *authorized by 5 U.S.C. 3109, but at rates for individuals*
12 *not to exceed the per diem rate equivalent to the rate for*
13 *ES-3, \$100,000,000, to remain available until September*
14 *30, 2003, of which \$5,000,000 shall be for technical assist-*
15 *ance and training programs designed to benefit Native*
16 *American communities, and up to \$9,850,000 may be used*
17 *for administrative expenses, including administration of*
18 *the New Markets Tax Credit, up to \$6,000,000 may be used*
19 *for the cost of direct loans, and up to \$1,000,000 may be*
20 *used for administrative expenses to carry out the direct loan*
21 *program: Provided, That the cost of direct loans, including*
22 *the cost of modifying such loans, shall be as defined in sec-*
23 *tion 502 of the Congressional Budget Act of 1974, as*
24 *amended: Provided further, That these funds are available*
25 *to subsidize gross obligations for the principal amount of*
26 *direct loans not to exceed \$51,800,000.*

1 *CONSUMER PRODUCT SAFETY COMMISSION*

2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Consumer Product Safety*
4 *Commission, including hire of passenger motor vehicles,*
5 *services as authorized by 5 U.S.C. 3109, but at rates for*
6 *individuals not to exceed the per diem rate equivalent to*
7 *the maximum rate payable under 5 U.S.C. 5376, purchase*
8 *of nominal awards to recognize non-Federal officials' con-*
9 *tributions to Commission activities, and not to exceed \$500*
10 *for official reception and representation expenses,*
11 *\$56,200,000, of which \$1,000,000 to remain available until*
12 *September 30, 2004, shall be for a research project on sensor*
13 *technologies.*

14 *CORPORATION FOR NATIONAL AND COMMUNITY SERVICE*

15 *NATIONAL AND COMMUNITY SERVICE PROGRAMS*

16 *OPERATING EXPENSES*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *For necessary expenses for the Corporation for Na-*
19 *tional and Community Service (the "Corporation") in car-*
20 *rying out programs, activities, and initiatives under the*
21 *National and Community Service Act of 1990 (the "Act")*
22 *(42 U.S.C. 12501 et seq.), \$415,480,000, to remain available*
23 *until September 30, 2003: Provided, That not more than*
24 *\$31,000,000 shall be available for administrative expenses*
25 *authorized under section 501(a)(4) of the Act (42 U.S.C.*
26 *12671(a)(4)) with not less than \$2,000,000 targeted for the*

1 acquisition of a cost accounting system for the Corpora-
2 tion's financial management system, an integrated grants
3 management system that provides comprehensive financial
4 management information for all Corporation grants and
5 cooperative agreements, and the establishment, operation,
6 and maintenance of a central archives serving as the reposi-
7 tory for all grant, cooperative agreement, and related docu-
8 ments, without regard to the provisions of section
9 501(a)(4)(B) of the Act: Provided further, That not more
10 than \$2,500 shall be for official reception and representa-
11 tion expenses: Provided further, That of amounts previously
12 transferred to the National Service Trust, \$5,000,000 shall
13 be available for national service scholarships for high school
14 students performing community service: Provided further,
15 That not more than \$240,492,000 of the amount provided
16 under this heading shall be available for grants under the
17 National Service Trust program authorized under subtitle
18 C of title I of the Act (42 U.S.C. 12571 et seq.) (relating
19 to activities including the AmeriCorps program), of which
20 not more than \$47,000,000 may be used to administer, re-
21 imburse, or support any national service program author-
22 ized under section 121(d)(2) of such Act (42 U.S.C.
23 12581(d)(2)); not more than \$25,000,000 shall be made
24 available to activities dedicated to developing computer and
25 information technology skills for students and teachers in

1 *low-income communities: Provided further, That not more*
2 *than \$10,000,000 of the funds made available under this*
3 *heading shall be made available for the Points of Light*
4 *Foundation for activities authorized under title III of the*
5 *Act (42 U.S.C. 12661 et seq.), of which not more than*
6 *\$2,500,000 may be used to establish or support an endow-*
7 *ment fund, the corpus of which shall remain intact and the*
8 *interest income from which shall be used to support activi-*
9 *ties described in title III of the Act, provided that the Foun-*
10 *dation may invest the corpus and income in federally in-*
11 *sured bank savings accounts or comparable interest bearing*
12 *accounts, certificates of deposit, money market funds, mu-*
13 *tual funds, obligations of the United States, and other mar-*
14 *ket instruments and securities but not in real estate invest-*
15 *ments: Provided further, That notwithstanding any other*
16 *law \$2,500,000 of the funds made available by the Corpora-*
17 *tion to the Foundation under Public Law 106–377 may be*
18 *used in the manner described in the preceding proviso: Pro-*
19 *vided further, That no funds shall be available for national*
20 *service programs run by Federal agencies authorized under*
21 *section 121(b) of such Act (42 U.S.C. 12571(b)): Provided*
22 *further, That to the maximum extent feasible, funds appro-*
23 *priated under subtitle C of title I of the Act shall be pro-*
24 *vided in a manner that is consistent with the recommenda-*
25 *tions of peer review panels in order to ensure that priority*

1 *is given to programs that demonstrate quality, innovation,*
2 *replicability, and sustainability: Provided further, That not*
3 *more than \$25,000,000 of the funds made available under*
4 *this heading shall be available for the Civilian Community*
5 *Corps authorized under subtitle E of title I of the Act (42*
6 *U.S.C. 12611 et seq.): Provided further, That not more than*
7 *\$43,000,000 shall be available for school-based and commu-*
8 *nity-based service-learning programs authorized under sub-*
9 *title B of title I of the Act (42 U.S.C. 12521 et seq.): Pro-*
10 *vided further, That not more than \$28,488,000 shall be*
11 *available for quality and innovation activities authorized*
12 *under subtitle H of title I of the Act (42 U.S.C. 12853 et*
13 *seq.): Provided further, That not more than \$15,000,000*
14 *shall be available for grants to support the Veterans Mission*
15 *for Youth Program: Provided further, That not more than*
16 *\$5,000,000 shall be available for audits and other evalua-*
17 *tions authorized under section 179 of the Act (42 U.S.C.*
18 *12639): Provided further, That to the maximum extent*
19 *practicable, the Corporation shall increase significantly the*
20 *level of matching funds and in-kind contributions provided*
21 *by the private sector, and shall reduce the total Federal costs*
22 *per participant in all programs: Provided further, That not*
23 *more than \$7,500,000 of the funds made available under*
24 *this heading shall be made available to America's Prom-*
25 *ise—The Alliance for Youth, Inc. only to support efforts to*

1 mobilize individuals, groups, and organizations to build
 2 and strengthen the character and competence of the Nation's
 3 youth: Provided further, That not more than \$5,000,000 of
 4 the funds made available under this heading shall be made
 5 available to the Communities In Schools, Inc. to support
 6 dropout prevention activities: Provided further, That not
 7 more than \$2,500,000 of the funds made available under
 8 this heading shall be made available to the YMCA of the
 9 USA to support school-based programs designed to strength-
 10 en collaborations and linkages between public schools and
 11 communities: Provided further, That not more than
 12 \$1,000,000 of the funds made available under this heading
 13 shall be made available to Teach For America: Provided
 14 further, That not more than \$1,500,000 of the funds made
 15 available under this heading shall be made available to Par-
 16 ents As Teachers National Center, Inc. to support literacy
 17 activities.

18 OFFICE OF INSPECTOR GENERAL

19 For necessary expenses of the Office of Inspector Gen-
 20 eral in carrying out the Inspector General Act of 1978, as
 21 amended, \$5,000,000, to remain available until September
 22 30, 2003.

23 U.S. COURT OF APPEALS FOR VETERANS CLAIMS

24 SALARIES AND EXPENSES

25 For necessary expenses for the operation of the United
 26 States Court of Appeals for Veterans Claims as authorized

1 *by 38 U.S.C. 7251–7298, \$13,221,000, of which \$895,000*
 2 *shall be available for the purpose of providing financial as-*
 3 *sistance as described, and in accordance with the process*
 4 *and reporting procedures set forth, under this heading in*
 5 *Public Law 102–229.*

6 *DEPARTMENT OF DEFENSE—CIVIL*

7 *CEMETERIAL EXPENSES, ARMY*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses, as authorized by law, for*
 10 *maintenance, operation, and improvement of Arlington Na-*
 11 *tional Cemetery and Soldiers' and Airmen's Home Na-*
 12 *tional Cemetery, including the purchase of two passenger*
 13 *motor vehicles for replacement only, and not to exceed*
 14 *\$1,000 for official reception and representation expenses,*
 15 *\$18,437,000, to remain available until expended.*

16 *DEPARTMENT OF HEALTH AND HUMAN SERVICES*

17 *NATIONAL INSTITUTES OF HEALTH*

18 *NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH*

19 *SCIENCES*

20 *For necessary expenses for the National Institute of*
 21 *Environmental Health Sciences in carrying out activities*
 22 *set forth in section 311(a) of the Comprehensive Environ-*
 23 *mental Response, Compensation, and Liability Act of 1980,*
 24 *as amended, \$70,228,000.*

1 *AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY*
2 *SALARIES AND EXPENSES*

3 *For necessary expenses for the Agency for Toxic Sub-*
4 *stances and Disease Registry (ATSDR) in carrying out ac-*
5 *tivities set forth in sections 104(i), 111(c)(4), and*
6 *111(c)(14) of the Comprehensive Environmental Response,*
7 *Compensation, and Liability Act of 1980 (CERCLA), as*
8 *amended; section 118(f) of the Superfund Amendments and*
9 *Reauthorization Act of 1986 (SARA), as amended; and sec-*
10 *tion 3019 of the Solid Waste Disposal Act, as amended,*
11 *\$78,235,000, to be derived from the Hazardous Substance*
12 *Superfund Trust Fund pursuant to section 517(a) of SARA*
13 *(26 U.S.C. 9507): Provided, That notwithstanding any*
14 *other provision of law, in lieu of performing a health assess-*
15 *ment under section 104(i)(6) of CERCLA, the Adminis-*
16 *trator of ATSDR may conduct other appropriate health*
17 *studies, evaluations, or activities, including, without limi-*
18 *tation, biomedical testing, clinical evaluations, medical*
19 *monitoring, and referral to accredited health care providers:*
20 *Provided further, That in performing any such health as-*
21 *essment or health study, evaluation, or activity, the Ad-*
22 *ministrator of ATSDR shall not be bound by the deadlines*
23 *in section 104(i)(6)(A) of CERCLA: Provided further, That*
24 *none of the funds appropriated under this heading shall be*
25 *available for ATSDR to issue in excess of 40 toxicological*

1 *profiles pursuant to section 104(i) of CERCLA during fis-*
2 *cal year 2002, and existing profiles may be updated as nec-*
3 *essary.*

4 *ENVIRONMENTAL PROTECTION AGENCY*

5 *SCIENCE AND TECHNOLOGY*

6 *For science and technology, including research and de-*
7 *velopment activities, which shall include research and devel-*
8 *opment activities under the Comprehensive Environmental*
9 *Response, Compensation, and Liability Act of 1980, as*
10 *amended; necessary expenses for personnel and related costs*
11 *and travel expenses, including uniforms, or allowances*
12 *therefor, as authorized by 5 U.S.C. 5901–5902; services as*
13 *authorized by 5 U.S.C. 3109, but at rates for individuals*
14 *not to exceed the per diem rate equivalent to the maximum*
15 *rate payable for senior level positions under 5 U.S.C. 5376;*
16 *procurement of laboratory equipment and supplies; other*
17 *operating expenses in support of research and development;*
18 *construction, alteration, repair, rehabilitation, and renova-*
19 *tion of facilities, not to exceed \$75,000 per project,*
20 *\$665,672,000, which shall remain available until September*
21 *30, 2003.*

22 *ENVIRONMENTAL PROGRAMS AND MANAGEMENT*

23 *For environmental programs and management, in-*
24 *cluding necessary expenses, not otherwise provided for, for*
25 *personnel and related costs and travel expenses, including*
26 *uniforms, or allowances therefor, as authorized by 5 U.S.C.*

1 5901–5902; services as authorized by 5 U.S.C. 3109, but
2 at rates for individuals not to exceed the per diem rate
3 equivalent to the maximum rate payable for senior level po-
4 sitions under 5 U.S.C. 5376; hire of passenger motor vehi-
5 cles; hire, maintenance, and operation of aircraft; purchase
6 of reprints; library memberships in societies or associations
7 which issue publications to members only or at a price to
8 members lower than to subscribers who are not members;
9 construction, alteration, repair, rehabilitation, and renova-
10 tion of facilities, not to exceed \$75,000 per project; and not
11 to exceed \$6,000 for official reception and representation
12 expenses, \$2,061,996,200, which shall remain available
13 until September 30, 2003.

14 *OFFICE OF INSPECTOR GENERAL*

15 *For necessary expenses of the Office of Inspector Gen-
16 eral in carrying out the provisions of the Inspector General
17 Act of 1978, as amended, and for construction, alteration,
18 repair, rehabilitation, and renovation of facilities, not to
19 exceed \$75,000 per project, \$34,019,000, to remain available
20 until September 30, 2003.*

21 *BUILDINGS AND FACILITIES*

22 *For construction, repair, improvement, extension, al-
23 teration, and purchase of fixed equipment or facilities of,
24 or for use by, the Environmental Protection Agency,
25 \$25,318,400, to remain available until expended.*

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project; \$1,274,645,560 to remain available until expended, consisting of \$634,532,200, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101–508, and \$640,113,360 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, \$11,867,000 shall be transferred to the “Office of Inspector General” appropriation to remain available until September 30, 2003, and \$36,890,500 shall be transferred to the “Science and technology” appropriation to remain available until September 30, 2003.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section

1 *205 of the Superfund Amendments and Reauthorization Act*
 2 *of 1986, and for construction, alteration, repair, rehabilita-*
 3 *tion, and renovation of facilities, not to exceed \$75,000 per*
 4 *project, \$71,947,400, to remain available until expended.*

5 *OIL SPILL RESPONSE*

6 *For expenses necessary to carry out the Environmental*
 7 *Protection Agency's responsibilities under the Oil Pollution*
 8 *Act of 1990, \$14,986,000, to be derived from the Oil Spill*
 9 *Liability trust fund, to remain available until expended.*

10 *STATE AND TRIBAL ASSISTANCE GRANTS*

11 *For environmental programs and infrastructure as-*
 12 *sistance, including capitalization grants for State revolving*
 13 *funds and performance partnership grants, \$3,603,015,900,*
 14 *to remain available until expended, of which*
 15 *\$1,350,000,000 shall be for making capitalization grants for*
 16 *the Clean Water State Revolving Funds under title VI of*
 17 *the Federal Water Pollution Control Act, as amended (the*
 18 *"Act"); \$850,000,000 shall be for capitalization grants for*
 19 *the Drinking Water State Revolving Funds under section*
 20 *1452 of the Safe Drinking Water Act, as amended, except*
 21 *that, notwithstanding section 1452(n) of the Safe Drinking*
 22 *Water Act, as amended, none of the funds made available*
 23 *under this heading in this Act, or in previous appropria-*
 24 *tions Acts, shall be reserved by the Administrator for health*
 25 *effects studies on drinking water contaminants; \$75,000,000*
 26 *shall be for architectural, engineering, planning, design,*

1 construction and related activities in connection with the
2 construction of high priority water and wastewater facili-
3 ties in the area of the United States-Mexico Border, after
4 consultation with the appropriate border commission;
5 \$40,000,000 shall be for grants to the State of Alaska to
6 address drinking water and wastewater infrastructure
7 needs of rural and Alaska Native Villages; \$140,000,000
8 shall be for making grants for the construction of waste-
9 water and water treatment facilities and groundwater pro-
10 tection infrastructure in accordance with the terms and
11 conditions specified for such grants in the Senate report ac-
12 companying this Act except that, notwithstanding any
13 other provision of law, of the funds herein and hereafter
14 appropriated under this heading for such special needs in-
15 frastructure grants, the Administrator may use up to 3 per-
16 cent of the amount of each project appropriated to admin-
17 ister the management and oversight of construction of such
18 projects through contracts, allocation to the Corps of Engi-
19 neers, or grants to States; and \$1,030,782,400 shall be for
20 grants, including associated program support costs, to
21 States, federally recognized tribes, interstate agencies, tribal
22 consortia, and air pollution control agencies for multi-
23 media or single media pollution prevention, control and
24 abatement and related activities, including activities pursu-
25 ant to the provisions set forth under this heading in Public

1 *Law 104–134, and for making grants under section 103 of*
2 *the Clean Air Act for particulate matter monitoring and*
3 *data collection activities of which and subject to terms and*
4 *conditions specified by the Administrator, \$25,000,000 shall*
5 *be for Environmental Information Exchange Network*
6 *grants, including associated program support costs: Pro-*
7 *vided, That for fiscal year 2002, State authority under sec-*
8 *tion 302(a) of Public Law 104–182 shall remain in effect:*
9 *Provided further, That for fiscal year 2002, and notwith-*
10 *standing section 518(f) of the Federal Water Pollution*
11 *Control Act, as amended, the Administrator is authorized*
12 *to use the amounts appropriated for any fiscal year under*
13 *section 319 of that Act to make grants to Indian tribes*
14 *pursuant to section 319(h) and 518(e) of that Act: Pro-*
15 *vided further, That for fiscal year 2002, notwithstanding*
16 *the limitation on amounts in section 518(c) of the Act,*
17 *up to a total of 1½ percent of the funds appropriated*
18 *for State Revolving Funds under Title VI of that Act may*
19 *be reserved by the Administrator for grants under section*
20 *518(c) of such Act: Provided further, That no funds pro-*
21 *vided by this legislation to address the water, wastewater*
22 *and other critical infrastructure needs of the colonias in*
23 *the United States along the United States-Mexico border*
24 *shall be made available to a county or municipal govern-*
25 *ment unless that government has established an enforce-*

1 able local ordinance, or other zoning rule, which prevents
 2 in that jurisdiction the development or construction of any
 3 additional colonia areas, or the development within an ex-
 4 isting colonia the construction of any new home, business,
 5 or other structure which lacks water, wastewater, or other
 6 necessary infrastructure.

7 *ADMINISTRATIVE PROVISION*

8 *For fiscal year 2002, notwithstanding 31 U.S.C.*
 9 *6303(1) and 6305(1), the Administrator of the Environ-*
 10 *mental Protection Agency, in carrying out the Agency's*
 11 *function to implement directly Federal environmental pro-*
 12 *grams required or authorized by law in the absence of an*
 13 *acceptable tribal program, may award cooperative agree-*
 14 *ments to federally-recognized Indian Tribes or Intertribal*
 15 *consortia, if authorized by their member Tribes, to assist*
 16 *the Administrator in implementing Federal environmental*
 17 *programs for Indian Tribes required or authorized by law,*
 18 *except that no such cooperative agreements may be awarded*
 19 *from funds designated for State financial assistance agree-*
 20 *ments.*

21 *EXECUTIVE OFFICE OF THE PRESIDENT*

22 *OFFICE OF SCIENCE AND TECHNOLOGY POLICY*

23 *For necessary expenses of the Office of Science and*
 24 *Technology Policy, in carrying out the purposes of the Na-*
 25 *tional Science and Technology Policy, Organization, and*
 26 *Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of*

1 *passenger motor vehicles, and services as authorized by*
2 *U.S.C. 3109, not to exceed \$2,500 for official reception and*
3 *representation expenses, and rental of conference rooms in*
4 *the District of Columbia, \$5,267,000.*

5 *COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF*
6 *ENVIRONMENTAL QUALITY*

7 *For necessary expenses to continue functions assigned*
8 *to the Council on Environmental Quality and Office of En-*
9 *vironmental Quality pursuant to the National Environ-*
10 *mental Policy Act of 1969, the Environmental Quality Im-*
11 *provement Act of 1970, and Reorganization Plan No. 1 of*
12 *1977, \$2,974,000: Provided, That, notwithstanding any*
13 *other provision of law, no funds other than those appro-*
14 *priated under this heading shall be used for or by the Coun-*
15 *cil on Environmental Quality and Office of Environmental*
16 *Quality: Provided further, That notwithstanding section*
17 *202 of the National Environmental Policy Act of 1970, the*
18 *Council shall consist of one member, appointed by the Presi-*
19 *dent, by and with the advice and consent of the Senate,*
20 *serving as chairman and exercising all powers, functions,*
21 *and duties of the Council.*

22 *FEDERAL DEPOSIT INSURANCE CORPORATION*
23 *OFFICE OF INSPECTOR GENERAL*

24 *For necessary expenses of the Office of Inspector Gen-*
25 *eral in carrying out the provisions of the Inspector General*
26 *Act of 1978, as amended, \$33,660,000, to be derived from*

1 *the Bank Insurance Fund, the Savings Association Insur-*
2 *ance Fund, and the FSLIC Resolution Fund.*

3 *FEDERAL EMERGENCY MANAGEMENT AGENCY*

4 *DISASTER RELIEF*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For necessary expenses in carrying out the Robert T.*
7 *Stafford Disaster Relief and Emergency Assistance Act (42*
8 *U.S.C. 5121 et seq.), \$359,399,000, and, notwithstanding*
9 *42 U.S.C. 5203, to remain available until expended, of*
10 *which not to exceed \$2,900,000 may be transferred to*
11 *“Emergency management planning and assistance” for the*
12 *consolidated emergency management performance grant*
13 *program; up to \$15,000,000 may be obligated for flood map*
14 *modernization activities following disaster declarations;*
15 *and \$21,577,000 may be used by the Office of Inspector*
16 *General for audits and investigations.*

17 *For an additional amount for “Disaster relief”,*
18 *\$2,000,000,000, to be available immediately upon the enact-*
19 *ment of this Act, and to remain available until expended:*
20 *Provided, That the entire amount is designated by the Con-*
21 *gress as an emergency requirement pursuant to section*
22 *251(b)(2)(A) of the Balanced Budget and Emergency Def-*
23 *icit Control Act of 1985, as amended: Provided further,*
24 *That the entire amount shall be available only to the extent*
25 *that an official budget request for a specific dollar amount,*
26 *that includes designation of the entire amount of the request*

1 *as an emergency requirement as defined in the Balanced*
2 *Budget and Emergency Deficit Control Act of 1985, as*
3 *amended, is transmitted by the President to the Congress.*

4 *DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT*

5 *For the cost of direct loans, \$405,000 as authorized by*
6 *section 319 of the Robert T. Stafford Disaster Relief and*
7 *Emergency Assistance Act: Provided, That such costs, in-*
8 *cluding the cost of modifying such loans, shall be as defined*
9 *in section 502 of the Congressional Budget Act of 1974, as*
10 *amended: Provided further, That these funds are available*
11 *to subsidize gross obligations for the principal amount of*
12 *direct loans not to exceed \$25,000,000. In addition, for ad-*
13 *ministrative expenses to carry out the direct loan program,*
14 *\$543,000.*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses, not otherwise provided for, in-*
17 *cluding hire and purchase of motor vehicles as authorized*
18 *by 31 U.S.C. 1343; uniforms, or allowances therefor, as au-*
19 *thorized by 5 U.S.C. 5901–5902; services as authorized by*
20 *5 U.S.C. 3109, but at rates for individuals not to exceed*
21 *the per diem rate equivalent to the maximum rate payable*
22 *for senior level positions under 5 U.S.C. 5376; expenses of*
23 *attendance of cooperating officials and individuals at meet-*
24 *ings concerned with the work of emergency preparedness;*
25 *transportation in connection with the continuity of Govern-*
26 *ment programs to the same extent and in the same manner*

1 *as permitted the Secretary of a Military Department under*
 2 *10 U.S.C. 2632; and not to exceed \$2,500 for official recep-*
 3 *tion and representation expenses, \$233,801,000.*

4 *OFFICE OF INSPECTOR GENERAL*

5 *For necessary expenses of the Office of Inspector Gen-*
 6 *eral in carrying out the Inspector General Act of 1978, as*
 7 *amended, \$10,303,000: Provided, That notwithstanding*
 8 *any other provision of law, the Inspector General of the*
 9 *Federal Emergency Management Agency shall also serve as*
 10 *the Inspector General of the Chemical Safety and Hazard*
 11 *Investigation Board.*

12 *EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE*

13 *For necessary expenses, not otherwise provided for, to*
 14 *carry out activities under the National Flood Insurance Act*
 15 *of 1968, as amended, and the Flood Disaster Protection Act*
 16 *of 1973, as amended (42 U.S.C. 4001 et seq.), the Robert*
 17 *T. Stafford Disaster Relief and Emergency Assistance Act*
 18 *(42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduc-*
 19 *tion Act of 1977, as amended (42 U.S.C. 7701 et seq.), the*
 20 *Federal Fire Prevention and Control Act of 1974, as*
 21 *amended (15 U.S.C. 2201 et seq.), the Defense Production*
 22 *Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), sec-*
 23 *tions 107 and 303 of the National Security Act of 1947,*
 24 *as amended (50 U.S.C. 404–405), and Reorganization Plan*
 25 *No. 3 of 1978, \$279,623,000: Provided, That for purposes*
 26 *of pre-disaster mitigation pursuant to 42 U.S.C. 5131(b)*

1 *and (c) and 42 U.S.C. 5196(e) and (i), \$25,000,000 of the*
 2 *funds made available under this heading shall be available*
 3 *until expended for project grants.*

4 *For an additional amount for “Emergency manage-*
 5 *ment planning and assistance”, \$150,000,000 for programs*
 6 *as authorized by section 33 of the Federal Fire Prevention*
 7 *and Control Act of 1974, as amended (15 U.S.C. 2201 et*
 8 *seq.).*

9 *RADIOLOGICAL EMERGENCY PREPAREDNESS FUND*

10 *The aggregate charges assessed during fiscal year 2002,*
 11 *as authorized by Public Law 106–377, shall not be less than*
 12 *100 percent of the amounts anticipated by FEMA necessary*
 13 *for its radiological emergency preparedness program for the*
 14 *next fiscal year. The methodology for assessment and collec-*
 15 *tion of fees shall be fair and equitable; and shall reflect costs*
 16 *of providing such services, including administrative costs*
 17 *of collecting such fees. Fees received pursuant to this section*
 18 *shall be deposited in the Fund as offsetting collections and*
 19 *will become available for authorized purposes on October*
 20 *1, 2002, and remain available until expended.*

21 *EMERGENCY FOOD AND SHELTER PROGRAM*

22 *To carry out an emergency food and shelter program*
 23 *pursuant to title III of Public Law 100–77, as amended,*
 24 *\$139,692,000, to remain available until expended: Pro-*
 25 *vided, That total administrative costs shall not exceed 3¹/₂*
 26 *percent of the total appropriation.*

1 *NATIONAL FLOOD INSURANCE FUND*2 *(INCLUDING TRANSFERS OF FUNDS)*

3 *For activities under the National Flood Insurance Act*
4 *of 1968 (“the Act”), the Flood Disaster Protection Act of*
5 *1973, as amended, not to exceed \$28,798,000 for salaries*
6 *and expenses associated with flood mitigation and flood in-*
7 *surance operations, and not to exceed \$76,381,000 for flood*
8 *mitigation, including up to \$20,000,000 for expenses under*
9 *section 1366 of the Act, which amount shall be available*
10 *for transfer to the National Flood Mitigation Fund until*
11 *September 30, 2003. In fiscal year 2002, no funds in excess*
12 *of: (1) \$55,000,000 for operating expenses; (2) \$536,750,000*
13 *for agents’ commissions and taxes; and (3) \$30,000,000 for*
14 *interest on Treasury borrowings shall be available from the*
15 *National Flood Insurance Fund without prior notice to the*
16 *Committees on Appropriations.*

17 *In addition, up to \$7,000,000 in fees collected but un-*
18 *expended during fiscal years 2000 through 2001 shall be*
19 *transferred to the Flood Map Modernization Fund and*
20 *available for expenditure in fiscal year 2002.*

21 *Section 1309(a)(2) of the Act (42 U.S.C. 4016(a)(2)),*
22 *as amended, is further amended by striking “December 31,*
23 *2001” and inserting “December 31, 2002”.*

24 *Section 1319 of the Act, as amended (42 U.S.C. 4026),*
25 *is amended by striking “September 30, 2001” and inserting*
26 *“December 31, 2002”.*

1 *Section 1336 of the Act, as amended (42 U.S.C. 4056),*
 2 *is amended by striking “September 30, 2001” and inserting*
 3 *“December 31, 2002”.*

4 *The first sentence of section 1376(c) of the Act, as*
 5 *amended (42 U.S.C. 4127(c)), is amended by striking “De-*
 6 *cember 31, 2001” and inserting “December 31, 2002”.*

7 *NATIONAL FLOOD MITIGATION FUND*

8 *Notwithstanding sections 1366(b)(3)(B)–(C) and*
 9 *1366(f) of the National Flood Insurance Act of 1968, as*
 10 *amended, \$20,000,000, to remain available until September*
 11 *30, 2003, for activities designed to reduce the risk of flood*
 12 *damage to structures pursuant to such Act, of which*
 13 *\$20,000,000 shall be derived from the National Flood Insur-*
 14 *ance Fund.*

15 *GENERAL SERVICES ADMINISTRATION*

16 *FEDERAL CONSUMER INFORMATION CENTER FUND*

17 *For necessary expenses of the Federal Consumer Infor-*
 18 *mation Center, including services authorized by 5 U.S.C.*
 19 *3109, \$7,276,000, to be deposited into the Federal Consumer*
 20 *Information Center Fund: Provided, That the appropria-*
 21 *tions, revenues, and collections deposited into the Fund*
 22 *shall be available for necessary expenses of Federal Con-*
 23 *sumer Information Center activities in the aggregate*
 24 *amount of \$12,000,000. Appropriations, revenues, and col-*
 25 *lections accruing to this Fund during fiscal year 2002 in*
 26 *excess of \$12,000,000 shall remain in the Fund and shall*

1 *not be available for expenditure except as authorized in ap-*
2 *propriations Acts.*

3 *NATIONAL AERONAUTICS AND SPACE ADMINISTRATION*

4 *HUMAN SPACE FLIGHT*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For necessary expenses, not otherwise provided for, in*
7 *the conduct and support of human space flight research and*
8 *development activities, including research, development, op-*
9 *erations, support and services; maintenance; construction*
10 *of facilities including repair, rehabilitation, revitalization*
11 *and modification of facilities, construction of new facilities*
12 *and additions to existing facilities, facility planning and*
13 *design, environmental compliance and restoration, and ac-*
14 *quisition or condemnation of real property, as authorized*
15 *by law; space flight, spacecraft control and communications*
16 *activities including operations, production, and services;*
17 *program management; personnel and related costs, includ-*
18 *ing uniforms or allowances therefor, as authorized by 5*
19 *U.S.C. 5901–5902; travel expenses; purchase and hire of*
20 *passenger motor vehicles; not to exceed \$20,000 for official*
21 *reception and representation expenses; and purchase, lease,*
22 *charter, maintenance and operation of mission and admin-*
23 *istrative aircraft, \$6,868,000,000, to remain available until*
24 *September 30, 2003, of which amounts as determined by*
25 *the Administrator for salaries and benefits; training, travel*
26 *and awards; facility and related costs; information tech-*

1 nology services; science, engineering, fabricating and testing
2 services; and other administrative services may be trans-
3 ferred to the Science, Aeronautics and Technology account
4 in accordance with section 312(b) of the National Aero-
5 nautics and Space Act of 1958, as amended by Public Law
6 106-377: Provided, That the funding level for Development
7 and Operation of the International Space Station shall not
8 exceed \$1,781,300,000 for fiscal year 2002, \$1,500,400,000
9 for fiscal year 2003, \$1,203,800,000 for fiscal year 2004,
10 \$1,078,300,000 for fiscal year 2005 and \$1,099,600,000 for
11 fiscal year 2006: Provided further, That the President shall
12 certify, and report such certification to the Senate Commit-
13 tees on Appropriations and Commerce, Science and Trans-
14 portation and to the House of Representatives Committees
15 on Appropriations and Science, that any proposal to exceed
16 these limits, or enhance the International Space Station de-
17 sign above the content planned for U.S. core complete, is
18 (1) necessary and of the highest priority to enhance the goal
19 of world class research in space aboard the International
20 Space Station; (2) within acceptable risk levels, having no
21 major unresolved technical issues and a high confidence in
22 cost and schedule estimates, and independently validated;
23 and (3) affordable within the multi-year funding available
24 to the International Space Station program as defined
25 above or, if exceeds such amounts, these additional resources

1 *are not achieved through any funding reduction to pro-*
2 *grams contained in Space Science, Earth Science and Aero-*
3 *navitics.*

4 *SCIENCE, AERONAUTICS AND TECHNOLOGY*

5 *For necessary expenses, not otherwise provided for, in*
6 *the conduct and support of science, aeronautics and tech-*
7 *nology research and development activities, including re-*
8 *search, development, operations, support and services;*
9 *maintenance; construction of facilities including repair, re-*
10 *habilitation, revitalization, and modification of facilities,*
11 *construction of new facilities and additions to existing fa-*
12 *cilities, facility planning and design, environmental com-*
13 *pliance and restoration, and acquisition or condemnation*
14 *of real property, as authorized by law; space flight, space-*
15 *craft control and communications activities including oper-*
16 *ations, production, and services; program management;*
17 *personnel and related costs, including uniforms or allow-*
18 *ances therefor, as authorized by 5 U.S.C. 5901–5902; travel*
19 *expenses; purchase and hire of passenger motor vehicles; not*
20 *to exceed \$20,000 for official reception and representation*
21 *expenses; and purchase, lease, charter, maintenance and op-*
22 *eration of mission and administrative aircraft,*
23 *\$7,669,700,000, to remain available until September 30,*
24 *2003.*

1 OFFICE OF INSPECTOR GENERAL

2 *For necessary expenses of the Office of Inspector Gen-*
3 *eral in carrying out the Inspector General Act of 1978, as*
4 *amended, \$23,700,000.*

5 ADMINISTRATIVE PROVISIONS

6 *Notwithstanding the limitation on the availability of*
7 *funds appropriated for “Human space flight”, or “Science,*
8 *aeronautics and technology” by this appropriations Act,*
9 *when any activity has been initiated by the incurrence of*
10 *obligations for construction of facilities as authorized by*
11 *law, such amount available for such activity shall remain*
12 *available until expended. This provision does not apply to*
13 *the amounts appropriated for institutional minor revital-*
14 *ization and construction of facilities, and institutional fa-*
15 *cility planning and design.*

16 *Notwithstanding the limitation on the availability of*
17 *funds appropriated for “Human space flight”, or “Science,*
18 *aeronautics and technology” by this appropriations Act, the*
19 *amounts appropriated for construction of facilities shall re-*
20 *main available until September 30, 2004.*

21 *Notwithstanding the limitation on the availability of*
22 *funds appropriated for “Office of Inspector General”,*
23 *amounts made available by this Act for personnel and re-*
24 *lated costs and travel expenses of the National Aeronautics*
25 *and Space Administration shall remain available until*
26 *September 30, 2002 and may be used to enter into contracts*

1 *for training, investigations, costs associated with personnel*
 2 *relocation, and for other services, to be provided during the*
 3 *next fiscal year. Funds for announced prizes otherwise au-*
 4 *thorized shall remain available, without fiscal year limita-*
 5 *tion, until the prize is claimed or the offer is withdrawn.*

6 *NATIONAL CREDIT UNION ADMINISTRATION*

7 *CENTRAL LIQUIDITY FACILITY*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *During fiscal year 2002, gross obligations of the Cen-*
 10 *tral Liquidity Facility for the principal amount of new di-*
 11 *rect loans to member credit unions, as authorized by 12*
 12 *U.S.C. 1795 et seq., shall not exceed \$1,500,000,000: Pro-*
 13 *vided, That administrative expenses of the Central Liquid-*
 14 *ity Facility shall not exceed \$309,000: Provided further,*
 15 *That \$1,000,000 shall be transferred to the Community De-*
 16 *velopment Revolving Loan Fund, of which \$650,000, to-*
 17 *gether with amounts of principal and interest on loans re-*
 18 *paid, shall be available until expended for loans to commu-*
 19 *nity development credit unions, and \$350,000 shall be*
 20 *available until expended for technical assistance to low-in-*
 21 *come and community development credit unions.*

22 *NATIONAL SCIENCE FOUNDATION*

23 *RESEARCH AND RELATED ACTIVITIES*

24 *For necessary expenses in carrying out the National*
 25 *Science Foundation Act of 1950, as amended (42 U.S.C.*
 26 *1861–1875), and the Act to establish a National Medal of*

1 *Science (42 U.S.C. 1880–1881); services as authorized by*
 2 *5 U.S.C. 3109; authorized travel; maintenance and oper-*
 3 *ation of aircraft and purchase of flight services for research*
 4 *support; acquisition of aircraft; \$3,514,481,000, of which*
 5 *not to exceed \$285,000,000 shall remain available until ex-*
 6 *pended for Polar research and operations support, and for*
 7 *reimbursement to other Federal agencies for operational*
 8 *and science support and logistical and other related activi-*
 9 *ties for the United States Antarctic program; the balance*
 10 *to remain available until September 30, 2003: Provided,*
 11 *That receipts for scientific support services and materials*
 12 *furnished by the National Research Centers and other Na-*
 13 *tional Science Foundation supported research facilities*
 14 *may be credited to this appropriation: Provided further,*
 15 *That to the extent that the amount appropriated is less than*
 16 *the total amount authorized to be appropriated for included*
 17 *program activities, all amounts, including floors and ceil-*
 18 *ings, specified in the authorizing Act for those program ac-*
 19 *tivities or their subactivities shall be reduced proportion-*
 20 *ally: Provided further, That \$75,000,000 of the funds avail-*
 21 *able under this heading shall be made available for a com-*
 22 *prehensive research initiative on plant genomes for eco-*
 23 *nomically significant crops.*

24 *MAJOR RESEARCH EQUIPMENT*

25 *For necessary expenses of major construction projects*
 26 *pursuant to the National Science Foundation Act of 1950,*

1 *as amended, including authorized travel, \$108,832,000, to*
 2 *remain available until expended.*

3 *EDUCATION AND HUMAN RESOURCES*

4 *For necessary expenses in carrying out science and en-*
 5 *gineering education and human resources programs and ac-*
 6 *tivities pursuant to the National Science Foundation Act*
 7 *of 1950, as amended (42 U.S.C. 1861–1875), including*
 8 *services as authorized by 5 U.S.C. 3109, authorized travel,*
 9 *and rental of conference rooms in the District of Columbia,*
 10 *\$872,407,000, to remain available until September 30,*
 11 *2003: Provided, That to the extent that the amount of this*
 12 *appropriation is less than the total amount authorized to*
 13 *be appropriated for included program activities, all*
 14 *amounts, including floors and ceilings, specified in the au-*
 15 *thorizing Act for those program activities or their subactivi-*
 16 *ties shall be reduced proportionally: Provided further, That*
 17 *\$15,000,000 shall be available for the innovation partner-*
 18 *ship program.*

19 *SALARIES AND EXPENSES*

20 *For salaries and expenses necessary in carrying out*
 21 *the National Science Foundation Act of 1950, as amended*
 22 *(42 U.S.C. 1861–1875); services authorized by 5 U.S.C.*
 23 *3109; hire of passenger motor vehicles; not to exceed \$9,000*
 24 *for official reception and representation expenses; uniforms*
 25 *or allowances therefor, as authorized by 5 U.S.C. 5901–*
 26 *5902; rental of conference rooms in the District of Colum-*

1 *bia; reimbursement of the General Services Administration*
 2 *for security guard services; \$170,040,000: Provided, That*
 3 *contracts may be entered into under “Salaries and ex-*
 4 *penses” in fiscal year 2002 for maintenance and operation*
 5 *of facilities, and for other services, to be provided during*
 6 *the next fiscal year.*

7 *OFFICE OF INSPECTOR GENERAL*

8 *For necessary expenses of the Office of Inspector Gen-*
 9 *eral as authorized by the Inspector General Act of 1978,*
 10 *as amended, \$6,760,000, to remain available until Sep-*
 11 *tember 30, 2003.*

12 *NEIGHBORHOOD REINVESTMENT CORPORATION*

13 *PAYMENT TO THE NEIGHBORHOOD REINVESTMENT*

14 *CORPORATION*

15 *For payment to the Neighborhood Reinvestment Cor-*
 16 *poration for use in neighborhood reinvestment activities, as*
 17 *authorized by the Neighborhood Reinvestment Corporation*
 18 *Act (42 U.S.C. 8101–8107), \$100,000,000, of which*
 19 *\$10,000,000 shall be for a homeownership program that is*
 20 *used in conjunction with section 8 assistance under the*
 21 *United States Housing Act of 1937, as amended.*

22 *SELECTIVE SERVICE SYSTEM*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the Selective Service System,*
 25 *including expenses of attendance at meetings and of train-*
 26 *ing for uniformed personnel assigned to the Selective Serv-*

1 ice System, as authorized by 5 U.S.C. 4101–4118 for civil-
2 ian employees; and not to exceed \$1,000 for official recep-
3 tion and representation expenses; \$25,003,000: Provided,
4 That during the current fiscal year, the President may ex-
5 empt this appropriation from the provisions of 31 U.S.C.
6 1341, whenever the President deems such action to be nec-
7 essary in the interest of national defense: Provided further,
8 That none of the funds appropriated by this Act may be
9 expended for or in connection with the induction of any
10 person into the Armed Forces of the United States.

11 *TITLE IV—GENERAL PROVISIONS*

12 *SEC. 401. Where appropriations in titles I, II, and*
13 *III of this Act are expendable for travel expenses and no*
14 *specific limitation has been placed thereon, the expenditures*
15 *for such travel expenses may not exceed the amounts set*
16 *forth therefor in the budget estimates submitted for the ap-*
17 *propriations: Provided, That this provision does not apply*
18 *to accounts that do not contain an object classification for*
19 *travel: Provided further, That this section shall not apply*
20 *to travel performed by uncompensated officials of local*
21 *boards and appeal boards of the Selective Service System;*
22 *to travel performed directly in connection with care and*
23 *treatment of medical beneficiaries of the Department of Vet-*
24 *erans Affairs; to travel performed in connection with major*
25 *disasters or emergencies declared or determined by the*

1 *President under the provisions of the Robert T. Stafford*
2 *Disaster Relief and Emergency Assistance Act; to travel*
3 *performed by the Offices of Inspector General in connection*
4 *with audits and investigations; or to payments to inter-*
5 *agency motor pools where separately set forth in the budget*
6 *schedules: Provided further, That if appropriations in titles*
7 *I, II, and III exceed the amounts set forth in budget esti-*
8 *mates initially submitted for such appropriations, the ex-*
9 *penditures for travel may correspondingly exceed the*
10 *amounts therefor set forth in the estimates only to the extent*
11 *such an increase is approved by the Committees on Appro-*
12 *priations.*

13 *SEC. 402. Appropriations and funds available for the*
14 *administrative expenses of the Department of Housing and*
15 *Urban Development and the Selective Service System shall*
16 *be available in the current fiscal year for purchase of uni-*
17 *forms, or allowances therefor, as authorized by 5 U.S.C.*
18 *5901–5902; hire of passenger motor vehicles; and services*
19 *as authorized by 5 U.S.C. 3109.*

20 *SEC. 403. Funds of the Department of Housing and*
21 *Urban Development subject to the Government Corporation*
22 *Control Act or section 402 of the Housing Act of 1950 shall*
23 *be available, without regard to the limitations on adminis-*
24 *trative expenses, for legal services on a contract or fee basis,*
25 *and for utilizing and making payment for services and fa-*

1 *cilities of the Federal National Mortgage Association, Gov-*
 2 *ernment National Mortgage Association, Federal Home*
 3 *Loan Mortgage Corporation, Federal Financing Bank, Fed-*
 4 *eral Reserve banks or any member thereof, Federal Home*
 5 *Loan banks, and any insured bank within the meaning of*
 6 *the Federal Deposit Insurance Corporation Act, as amended*
 7 *(12 U.S.C. 1811–1831).*

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

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

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

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

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

22 *(2) unless such expenditure is subject to audit by*
 23 *the General Accounting Office or is specifically ex-*
 24 *empt by law from such audit.*

1 *SEC. 406. None of the funds provided in this Act to*
2 *any department or agency may be expended for the trans-*
3 *portation of any officer or employee of such department or*
4 *agency between their domicile and their place of employ-*
5 *ment, with the exception of any officer or employee author-*
6 *ized such transportation under 31 U.S.C. 1344 or 5 U.S.C.*
7 *7905.*

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

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

22 *SEC. 409. None of the funds provided in this Act shall*
23 *be used to pay the expenses of, or otherwise compensate,*
24 *non-Federal parties intervening in regulatory or adjudica-*
25 *tory proceedings. Nothing herein affects the authority of the*

1 *Consumer Product Safety Commission pursuant to section*
2 *7 of the Consumer Product Safety Act (15 U.S.C. 2056 et*
3 *seq.).*

4 *SEC. 410. Except as otherwise provided under existing*
5 *law, or under an existing Executive Order issued pursuant*
6 *to an existing law, the obligation or expenditure of any ap-*
7 *propriation under this Act for contracts for any consulting*
8 *service shall be limited to contracts which are: (1) a matter*
9 *of public record and available for public inspection; and*
10 *(2) thereafter included in a publicly available list of all con-*
11 *tracts entered into within 24 months prior to the date on*
12 *which the list is made available to the public and of all*
13 *contracts on which performance has not been completed by*
14 *such date. The list required by the preceding sentence shall*
15 *be updated quarterly and shall include a narrative descrip-*
16 *tion of the work to be performed under each such contract.*

17 *SEC. 411. Except as otherwise provided by law, no*
18 *part of any appropriation contained in this Act shall be*
19 *obligated or expended by any executive agency, as referred*
20 *to in the Office of Federal Procurement Policy Act (41*
21 *U.S.C. 401 et seq.), for a contract for services unless such*
22 *executive agency: (1) has awarded and entered into such*
23 *contract in full compliance with such Act and the regula-*
24 *tions promulgated thereunder; and (2) requires any report*
25 *prepared pursuant to such contract, including plans, eval-*

1 uations, studies, analyses and manuals, and any report
2 prepared by the agency which is substantially derived from
3 or substantially includes any report prepared pursuant to
4 such contract, to contain information concerning: (A) the
5 contract pursuant to which the report was prepared; and
6 (B) the contractor who prepared the report pursuant to such
7 contract.

8 *SEC. 412. Except as otherwise provided in section 406,*
9 *none of the funds provided in this Act to any department*
10 *or agency shall be obligated or expended to provide a per-*
11 *sonal cook, chauffeur, or other personal servants to any offi-*
12 *cer or employee of such department or agency.*

13 *SEC. 413. None of the funds provided in this Act to*
14 *any department or agency shall be obligated or expended*
15 *to procure passenger automobiles as defined in 15 U.S.C.*
16 *2001 with an EPA estimated miles per gallon average of*
17 *less than 22 miles per gallon.*

18 *SEC. 414. None of the funds appropriated in title I*
19 *of this Act shall be used to enter into any new lease of real*
20 *property if the estimated annual rental is more than*
21 *\$300,000 unless the Secretary submits a report which the*
22 *Committees on Appropriations of the Congress approve*
23 *within 30 days following the date on which the report is*
24 *received.*

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

5 *(b) In providing financial assistance to, or entering*
6 *into any contract with, any entity using funds made avail-*
7 *able in this Act, the head of each Federal agency, to the*
8 *greatest extent practicable, shall provide to such entity a*
9 *notice describing the statement made in subsection (a) by*
10 *the Congress.*

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

15 *SEC. 417. Such sums as may be necessary for fiscal*
16 *year 2002 pay raises for programs funded by this Act shall*
17 *be absorbed within the levels appropriated in this Act.*

18 *SEC. 418. None of the funds made available in this*
19 *Act may be used for any program, project, or activity, when*
20 *the program, project, or activity is not in compliance with*
21 *any Federal law relating to risk assessment, the protection*
22 *of private property rights, or unfunded mandates.*

23 *SEC. 419. Corporations and agencies of the Depart-*
24 *ment of Housing and Urban Development which are subject*
25 *to the Government Corporation Control Act, as amended,*

1 *are hereby authorized to make such expenditures, within the*
2 *limits of funds and borrowing authority available to each*
3 *such corporation or agency and in accord with law, and*
4 *to make such contracts and commitments without regard*
5 *to fiscal year limitations as provided by section 104 of such*
6 *Act as may be necessary in carrying out the programs set*
7 *forth in the budget for 2002 for such corporation or agency*
8 *except as hereinafter provided: Provided, That collections*
9 *of these corporations and agencies may be used for new loan*
10 *or mortgage purchase commitments only to the extent ex-*
11 *pressly provided for in this Act (unless such loans are in*
12 *support of other forms of assistance provided for in this or*
13 *prior appropriations Acts), except that this proviso shall*
14 *not apply to the mortgage insurance or guaranty operations*
15 *of these corporations, or where loans or mortgage purchases*
16 *are necessary to protect the financial interest of the United*
17 *States Government.*

18 *SEC. 420. Notwithstanding any other provision of law,*
19 *the term “qualified student loan” with respect to national*
20 *service education awards shall mean any loan determined*
21 *by an institution of higher education to be necessary to*
22 *cover a student’s cost of attendance at such institution and*
23 *made directly to a student by a state agency, in addition*
24 *to other meanings under section 148(b)(7) of the National*
25 *and Community Service Act.*

1 *SEC. 421. Unless otherwise provided for in this Act,*
2 *no part of any appropriation for the Department of Hous-*
3 *ing and Urban Development shall be available for any ac-*
4 *tivity in excess of amounts set forth in the budget estimates*
5 *submitted to Congress.*

6 *SEC. 422. None of the funds appropriated or otherwise*
7 *made available by this Act shall be used to promulgate a*
8 *final regulation to implement changes in the payment of*
9 *pesticide tolerance processing fees as proposed at 64 Fed.*
10 *Reg. 31040, or any similar proposals. The Environmental*
11 *Protection Agency may proceed with the development of*
12 *such a rule.*

13 *SEC. 423. Except in the case of entities that are funded*
14 *solely with Federal funds or any natural persons that are*
15 *funded under this Act, none of the funds in this Act shall*
16 *be used for the planning or execution of any program to*
17 *pay the expenses of, or otherwise compensate, non-Federal*
18 *parties to lobby or litigate in respect to adjudicatory pro-*
19 *ceedings funded in this Act. A chief executive officer of any*
20 *entity receiving funds under this Act shall certify that none*
21 *of these funds have been used to engage in the lobbying of*
22 *the Federal Government or in litigation against the United*
23 *States unless authorized under existing law.*

24 *SEC. 424. No part of any funds appropriated in this*
25 *Act shall be used by an agency of the executive branch, other*

1 *than for normal and recognized executive-legislative rela-*
 2 *tionships, for publicity or propaganda purposes, and for*
 3 *the preparation, distribution or use of any kit, pamphlet,*
 4 *booklet, publication, radio, television or film presentation*
 5 *designed to support or defeat legislation pending before the*
 6 *Congress, except in presentation to the Congress itself.*

7 *SEC. 425. None of the funds provided in Title II for*
 8 *technical assistance, training, or management improve-*
 9 *ments may be obligated or expended unless HUD provides*
 10 *to the Committees on Appropriations a description of each*
 11 *proposed activity and a detailed budget estimate of the costs*
 12 *associated with each activity as part of the Budget Jus-*
 13 *tifications. For fiscal year 2002, HUD shall transmit this*
 14 *information to the Committees by January 8, 2002 for 30*
 15 *days of review.*

16 *SEC. 426. Section 70113(f) of title 49, United States*
 17 *Code, is amended by striking “December 31, 2001”, and*
 18 *inserting “December 31, 2002”.*

19 *SEC. 427. All Departments and agencies funded under*
 20 *this Act are encouraged, within the limits of the existing*
 21 *statutory authorities and funding, to expand their use of*
 22 *“E-Commerce” technologies and procedures in the conduct*
 23 *of their business practices and public service activities.*

24 *SEC. 428. The Administrator of the Environmental*
 25 *Protection Agency, pursuant to the Safe Drinking Water*

1 *Act, shall immediately put into effect a new national pri-*
2 *mary drinking water regulation for arsenic that—*

3 *(1) establishes a standard for arsenic at a level*
4 *providing for the protection of the population in gen-*
5 *eral, fully taking into account those at greater risk,*
6 *such as infants, children, pregnant women, the elderly*
7 *and those with a history of serious illness; and*

8 *(2) lifts the suspension on the effective date for*
9 *the community right to know requirements included*
10 *in the national primary drinking water regulation*
11 *for arsenic published on January 22, 2001, in the*
12 *Federal Register (66 Fed. Reg. 6976).*

13 *SEC. 429. ARSENIC IN PLAYGROUND EQUIPMENT. (a)*
14 *FINDINGS.—The Congress makes the following findings:*

15 *(1) The Department of Health and Human Serv-*
16 *ices has determined that arsenic is a known car-*
17 *cinogen, and the Environmental Protection Agency*
18 *has classified chromated copper arsenate (CCA),*
19 *which is 22 percent arsenic, as a “restricted use*
20 *chemical”.*

21 *(2) CCA is often used as a preservative in pres-*
22 *sure-treated wood, and CCA-treated wood is widely*
23 *used in constructing playground equipment fre-*
24 *quented by children.*

1 (3) *In 2001, many communities in Florida and*
2 *elsewhere have temporarily or permanently closed*
3 *playgrounds in response to elevated levels of arsenic*
4 *in soil surrounding CCA-treated wood playground*
5 *equipment.*

6 (4) *The State of Florida recently announced that*
7 *its own wood-treatment plant would cease using ar-*
8 *senic as a preservative.*

9 (5) *PlayNation Play Systems, which manufac-*
10 *tures playground equipment, announced in June*
11 *2001 that it would no longer use CCA as a preserva-*
12 *tive in its playground products.*

13 (6) *In May 2001, the Environmental Protection*
14 *Agency announced that it would expedite its ongoing*
15 *review of the health risks facing children playing near*
16 *CCA-treated wood playground equipment, and*
17 *produce its findings in June 2001. The EPA later*
18 *postponed the release of its risk assessment until the*
19 *end of the summer of 2001, and announced that its*
20 *risk assessment would be reviewed by a Scientific Ad-*
21 *visory Panel in October 2001.*

22 (7) *The EPA also plans to expedite its risk as-*
23 *essment regarding the re-registering of arsenic as a*
24 *pesticide by accelerating its release from 2003 to*
25 *2002.*

1 (8) *The Consumer Product Safety Commission,*
2 *which has the authority to ban hazardous and dan-*
3 *gerous products, announced in June 2001 that it*
4 *would consider a petition seeking the banning of*
5 *CCA-treated wood from all playground equipment.*

6 (9) *Many viable alternatives to CCA-treated*
7 *wood exist, including cedar, plastic products, alu-*
8 *minum, and treated wood without CCA. These prod-*
9 *ucts, alone or in combination, can fully replace CCA-*
10 *treated wood in playground equipment.*

11 (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*
12 *ate that the potential health and safety risks to children*
13 *playing on and around CCA-treated wood playground*
14 *equipment is a matter of the highest priority, which de-*
15 *mands immediate attention from the Congress, the Execu-*
16 *tive Branch, State and local governments, affected indus-*
17 *tries, and parents.*

18 (c) *REPORT.—Not later than 30 days after the date*
19 *of enactment of this Act, the Administrator of the Environ-*
20 *mental Protection Agency, in consultation with the Con-*
21 *sumer Product Safety Commission, shall submit a report*
22 *to Congress which shall include—*

23 (1) *the Environmental Protection Agency's most*
24 *up-to-date understanding of the potential health and*

1 *safety risks to children playing on and around CCA-*
2 *treated wood playground equipment;*

3 *(2) the Environmental Protection Agency's cur-*
4 *rent recommendations to State and local governments*
5 *about the continued use of CCA-treated wood play-*
6 *ground equipment; and*

7 *(3) an assessment of whether consumers consid-*
8 *ering purchases of CCA-treated wood playground*
9 *equipment are adequately informed concerning the*
10 *health effects associated with arsenic.*

11 *SEC. 430. EXPERIMENTAL PROGRAM TO STIMULATE*
12 *COMPETITIVE RESEARCH. From amounts available to the*
13 *National Science Foundation under this Act, a total of*
14 *\$115,000,000 may be available to carry out the Experi-*
15 *mental Program to Stimulate Competitive Research*
16 *(EPSCoR), which includes \$25,000,000 in co-funding.*

17 *SEC. 431. SENSE OF THE SENATE CONCERNING THE*
18 *STATE WATER POLLUTION CONTROL REVOLVING FUND. (a)*
19 *FINDINGS.—Congress finds that—*

20 *(1) funds from the drinking water State revolv-*
21 *ing fund established under section 1452 of the Safe*
22 *Drinking Water Act (42 U.S.C. 300j-12) are allo-*
23 *cated on the basis of an infrastructure needs survey*
24 *conducted by the Administrator of the Environmental*
25 *Protection Agency, in accordance with the Safe*

1 *Drinking Water Act Amendments of 1996 (Public*
2 *Law 104–182);*

3 *(2) the needs-based allocation of that fund was*
4 *enacted by Congress and is seen as a fair and reason-*
5 *able basis for allocation of funds under a revolving*
6 *fund of this type;*

7 *(3) the Administrator of the Environmental Pro-*
8 *tection Agency also conducts a wastewater infrastruc-*
9 *ture needs survey that should serve as the basis for al-*
10 *location of the State water pollution control revolving*
11 *fund established under title VI of the Federal Water*
12 *Pollution Control Act (33 U.S.C. 1381 et seq.);*

13 *(4) the current allocation formula for the State*
14 *water pollution control revolving fund is so inequi-*
15 *table that it results in some States receiving funding*
16 *in an amount up to 7 times as much as States with*
17 *approximately similar populations, in terms of per-*
18 *centage of need met; and*

19 *(5) the Senate has proven unwilling to address*
20 *that inequity in an appropriations bill, citing the ne-*
21 *cessity of addressing new allocation formulas only in*
22 *authorization bills.*

23 *(b) SENSE OF THE SENATE.—It is the sense of the Sen-*
24 *ate that the Committee on Environment and Public Works*
25 *of the Senate should be prepared to enact authorizing legis-*

1 *lation (including an equitable, needs-based formula) for the*
2 *State water pollution control revolving fund as soon as*
3 *practicable after the Senate returns from recess in Sep-*
4 *tember.*

5 *This Act may be cited as the “Departments of Veterans*
6 *Affairs and Housing and Urban Development, and Inde-*
7 *pendent Agencies Appropriations Act, 2002”.*

Attest:

Secretary.

107TH CONGRESS
1ST SESSION

H. R. 2620

AMENDMENT

HR 2620 EAS—2

HR 2620 EAS—3

HR 2620 EAS—4

HR 2620 EAS—5

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