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107TH CONGRESS
2^D SESSION

S. 2797

[Report No. 107-222]

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, 2003, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 25, 2002

Ms. MIKULSKI, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

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, 2003, and for other purposes.

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

1 Development, and for sundry independent agencies,
 2 boards, commissions, corporations, and offices for the fis-
 3 cal year ending September 30, 2003, and for other pur-
 4 poses, namely:

5 TITLE I—DEPARTMENT OF VETERANS AFFAIRS

6 VETERANS BENEFITS ADMINISTRATION

7 COMPENSATION AND PENSIONS

8 (INCLUDING TRANSFER OF FUNDS)

9 For the payment of compensation benefits to or on
 10 behalf of veterans and a pilot program for disability ex-
 11 aminations as authorized by law (38 U.S.C. 107, chapters
 12 11, 13, 18, 51, 53, 55, and 61); pension benefits to or
 13 on behalf of veterans as authorized by law (38 U.S.C.
 14 chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and bur-
 15 ial benefits, emergency and other officers' retirement pay,
 16 adjusted-service credits and certificates, payment of pre-
 17 miums due on commercial life insurance policies guaran-
 18 teed under the provisions of article IV of the Soldiers' and
 19 Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 540 et
 20 seq.) and for other benefits as authorized by law (38
 21 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53,
 22 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123;
 23 45 Stat. 735; 76 Stat. 1198), \$28,949,000,000, to remain
 24 available until expended: *Provided*, That not to exceed
 25 \$17,138,000 of the amount appropriated under this head-
 26 ing shall be reimbursed to “General operating expenses”

1 and “Medical care” for necessary expenses in imple-
2 menting those provisions authorized in the Omnibus
3 Budget Reconciliation Act of 1990, and in the Veterans’
4 Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55),
5 the funding source for which is specifically provided as the
6 “Compensation and pensions” appropriation: *Provided*
7 *further*, That such sums as may be earned on an actual
8 qualifying patient basis, shall be reimbursed to “Medical
9 facilities revolving fund” to augment the funding of indi-
10 vidual medical facilities for nursing home care provided
11 to pensioners as authorized.

12 READJUSTMENT BENEFITS

13 For the payment of readjustment and rehabilitation
14 benefits to or on behalf of veterans as authorized by law
15 (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53,
16 55, and 61), \$2,264,808,000, to remain available until ex-
17 pended: *Provided*, That expenses for rehabilitation pro-
18 gram services and assistance which the Secretary is au-
19 thorized to provide under section 3104(a) of title 38,
20 United States Code, other than under subsection (a)(1),
21 (2), (5), and (11) of that section, shall be charged to this
22 account.

23 VETERANS INSURANCE AND INDEMNITIES

24 For military and naval insurance, national service life
25 insurance, servicemen’s indemnities, service-disabled vet-
26 erans insurance, and veterans mortgage life insurance as

1 authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72
2 Stat. 487, \$27,530,000, to remain available until ex-
3 pended.

4 VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM

5 ACCOUNT

6 (INCLUDING TRANSFER OF FUNDS)

7 For the cost of direct and guaranteed loans, such
8 sums as may be necessary to carry out the program, as
9 authorized by 38 U.S.C. chapter 37, as amended: *Pro-*
10 *vided*, That such costs, including the cost of modifying
11 such loans, shall be as defined in section 502 of the Con-
12 gressional Budget Act of 1974, as amended: *Provided fur-*
13 *ther*, That during fiscal year 2003, within the resources
14 available, not to exceed \$300,000 in gross obligations for
15 direct loans are authorized for specially adapted housing
16 loans.

17 In addition, for administrative expenses to carry out
18 the direct and guaranteed loan programs, \$168,207,000,
19 which may be transferred to and merged with the appro-
20 priation for "General operating expenses".

21 EDUCATION LOAN FUND PROGRAM ACCOUNT

22 (INCLUDING TRANSFER OF FUNDS)

23 For the cost of direct loans, \$1,000, as authorized
24 by 38 U.S.C. 3698, as amended: *Provided*, That such
25 costs, including the cost of modifying such loans, shall be
26 as defined in section 502 of the Congressional Budget Act

1 of 1974, as amended: *Provided further*, That these funds
 2 are available to subsidize gross obligations for the prin-
 3 cipal amount of direct loans not to exceed \$3,400.

4 In addition, for administrative expenses necessary to
 5 carry out the direct loan program, \$70,000, which may
 6 be transferred to and merged with the appropriation for
 7 “General operating expenses”.

8 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT
 9 (INCLUDING TRANSFER OF FUNDS)

10 For the cost of direct loans, \$55,000, as authorized
 11 by 38 U.S.C. chapter 31, as amended: *Provided*, That such
 12 costs, including the cost of modifying such loans, shall be
 13 as defined in section 502 of the Congressional Budget Act
 14 of 1974, as amended: *Provided further*, That funds made
 15 available under this heading are available to subsidize
 16 gross obligations for the principal amount of direct loans
 17 not to exceed \$3,626,000.

18 In addition, for administrative expenses necessary to
 19 carry out the direct loan program, \$289,000, which may
 20 be transferred to and merged with the appropriation for
 21 “General operating expenses”.

22 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
 23 ACCOUNT
 24 (INCLUDING TRANSFER OF FUNDS)

25 For administrative expenses to carry out the direct
 26 loan program authorized by 38 U.S.C. chapter 37, sub-

1 chapter V, as amended, \$558,000, which may be trans-
2 ferred to and merged with the appropriation for “General
3 operating expenses”.

4 GUARANTEED TRANSITIONAL HOUSING LOANS FOR
5 HOMELESS VETERANS PROGRAM ACCOUNT

6 For the administrative expenses to carry out the
7 guaranteed transitional housing loan program authorized
8 by 38 U.S.C. chapter 37, subchapter VI, not to exceed
9 \$750,000 of the amounts appropriated by this Act for
10 “General operating expenses” and “Medical care” may be
11 expended.

12 VETERANS HEALTH ADMINISTRATION
13 MEDICAL CARE
14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses for the maintenance and op-
16 eration of hospitals, nursing homes, and domiciliary facili-
17 ties; for furnishing, as authorized by law, inpatient and
18 outpatient care and treatment to beneficiaries of the De-
19 partment of Veterans Affairs, including care and treat-
20 ment in facilities not under the jurisdiction of the depart-
21 ment; and furnishing recreational facilities, supplies, and
22 equipment; funeral, burial, and other expenses incidental
23 thereto for beneficiaries receiving care in the department;
24 administrative expenses in support of planning, design,
25 project management, real property acquisition and disposi-
26 tion, construction and renovation of any facility under the

1 jurisdiction or for the use of the department; oversight,
2 engineering and architectural activities not charged to
3 project cost; repairing, altering, improving or providing fa-
4 cilities in the several hospitals and homes under the juris-
5 diction of the department, not otherwise provided for, ei-
6 ther by contract or by the hire of temporary employees
7 and purchase of materials; uniforms or allowances there-
8 for, as authorized by 5 U.S.C. 5901–5902; aid to State
9 homes as authorized by 38 U.S.C. 1741; administrative
10 and legal expenses of the department for collecting and
11 recovering amounts owed the department as authorized
12 under 38 U.S.C. chapter 17, and the Federal Medical
13 Care Recovery Act, 42 U.S.C. 2651 et seq.,
14 \$23,889,304,000, plus reimbursements: *Provided*, That,
15 notwithstanding any other provision of law, the Secretary
16 of Veterans Affairs may establish a priority for treatment
17 for veterans who are service-connected disabled, lower in-
18 come, or have special needs: *Provided further*, That of the
19 funds made available under this heading, \$500,000,000
20 is for the equipment and land and structures object classi-
21 fications only, which amount shall not become available
22 for obligation until August 1, 2003, and shall remain
23 available until September 30, 2004: *Provided further*, That
24 of the funds made available under this heading, not to ex-
25 ceed \$900,000,000 shall be available until September 30,

1 2004: *Provided further*, That of the funds made available
2 under this heading for non-recurring maintenance and re-
3 pair (NRM) activities, \$15,000,000 shall be available
4 without fiscal year limitation to support the NRM activi-
5 ties necessary to implement Capital Asset Realignment for
6 Enhanced Services (CARES) activities: *Provided further*,
7 That from amounts appropriated under this heading, ad-
8 ditional amounts, as designated by the Secretary no later
9 than September 30, 2002, may be used for CARES activi-
10 ties without fiscal year limitation: *Provided further*, That
11 the Secretary of Veterans Affairs shall conduct by contract
12 a program of recovery audits for the fee basis and other
13 medical services contracts with respect to payments for
14 hospital care; and, notwithstanding 31 U.S.C. 3302(b),
15 amounts collected, by setoff or otherwise, as the result of
16 such audits shall be available, without fiscal year limita-
17 tion, for the purposes for which funds are appropriated
18 under this heading and the purposes of paying a con-
19 tractor a percent of the amount collected as a result of
20 an audit carried out by the contractor: *Provided further*,
21 That all amounts so collected under the preceding proviso
22 with respect to a designated health care region (as that
23 term is defined in 38 U.S.C. 1729A(d)(2)) shall be allo-
24 cated, net of payments to the contractor, to that region.

1 MEDICAL CARE COLLECTIONS FUND
2 (INCLUDING TRANSFER OF FUNDS)

3 Amounts deposited during the current fiscal year in
4 the Department of Veterans Affairs Medical Care Collec-
5 tions Fund under section 1729A of title 38, United States
6 Code, may be transferred to “Medical care”, to remain
7 available until expended.

8 MEDICAL AND PROSTHETIC RESEARCH

9 For necessary expenses in carrying out programs of
10 medical and prosthetic research and development as au-
11 thorized by 38 U.S.C. chapter 73, to remain available until
12 September 30, 2004, \$400,000,000, plus reimbursements.

13 MEDICAL ADMINISTRATION AND MISCELLANEOUS
14 OPERATING EXPENSES

15 For necessary expenses in the administration of the
16 medical, hospital, nursing home, domiciliary, construction,
17 supply, and research activities, as authorized by law; ad-
18 ministrative expenses in support of capital policy activi-
19 ties, \$69,716,000, of which \$3,861,000 shall be available
20 until September 30, 2004, plus reimbursements: *Provided,*
21 That technical and consulting services offered by the Fa-
22 cilities Management Field Support Service, including
23 project management and real property administration (in-
24 cluding leases, site acquisition and disposal activities di-
25 rectly supporting projects), shall be provided to Depart-
26 ment of Veterans Affairs components only on a reimburs-

1 able basis, and such amounts will remain available until
2 September 30, 2003.

3 DEPARTMENTAL ADMINISTRATION

4 GENERAL OPERATING EXPENSES

5 For necessary operating expenses of the Department
6 of Veterans Affairs, not otherwise provided for, including
7 administrative expenses in support of Department-wide
8 capital planning, management and policy activities, uni-
9 forms or allowances therefor; not to exceed \$25,000 for
10 official reception and representation expenses; hire of pas-
11 senger motor vehicles; and reimbursement of the General
12 Services Administration for security guard services, and
13 the Department of Defense for the cost of overseas em-
14 ployee mail, \$1,256,418,000: *Provided*, That expenses for
15 services and assistance authorized under 38 U.S.C.
16 3104(a)(1), (2), (5), and (11) that the Secretary deter-
17 mines are necessary to enable entitled veterans: (1) to the
18 maximum extent feasible, to become employable and to ob-
19 tain and maintain suitable employment; or (2) to achieve
20 maximum independence in daily living, shall be charged
21 to this account: *Provided further*, That of the funds made
22 available under this heading, not to exceed \$65,800,000
23 shall be available for obligation until September 30, 2004:
24 *Provided further*, That from the funds made available
25 under this heading, the Veterans Benefits Administration

1 may purchase up to two passenger motor vehicles for use
2 in operations of that Administration in Manila, Phil-
3 ippines: *Provided further*, That travel expenses for this ac-
4 count shall not exceed \$17,082,000.

5 NATIONAL CEMETERY ADMINISTRATION

6 For necessary expenses of the National Cemetery Ad-
7 ministration for operations and maintenance, not other-
8 wise provided for, including uniforms or allowances there-
9 for; cemeterial expenses as authorized by law; purchase
10 of one passenger motor vehicle for use in cemeterial oper-
11 ations; and hire of passenger motor vehicles,
12 \$133,149,000, of which \$6,912,000 shall be available until
13 September 30, 2004.

14 OFFICE OF INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector
16 General in carrying out the provisions of the Inspector
17 General Act of 1978, as amended, \$55,000,000, to remain
18 available until September 30, 2004.

19 CONSTRUCTION, MAJOR PROJECTS

20 For constructing, altering, extending and improving
21 any of the facilities under the jurisdiction or for the use
22 of the Department of Veterans Affairs, or for any of the
23 purposes set forth in sections 316, 2404, 2406, 8102,
24 8103, 8106, 8108, 8109, 8110, and 8122 of title 38,
25 United States Code, including planning, architectural and
26 engineering services, maintenance or guarantee period

1 services costs associated with equipment guarantees pro-
2 vided under the project, services of claims analysts, offsite
3 utility and storm drainage system construction costs, and
4 site acquisition, where the estimated cost of a project is
5 \$4,000,000 or more or where funds for a project were
6 made available in a previous major project appropriation,
7 \$193,740,000, to remain available until expended, of
8 which \$5,000,000 shall be for Capital Asset Realignment
9 for Enhanced Services (CARES) activities; and of which
10 \$10,000,000 shall be to make reimbursements as provided
11 in 41 U.S.C. 612 for claims paid for contract disputes:
12 *Provided*, That except for advance planning activities, in-
13 cluding needs assessments which may or may not lead to
14 capital investments, and other capital asset management
15 related activities, such as portfolio development and man-
16 agement activities, and investment strategy studies funded
17 through the advance planning fund and the planning and
18 design activities funded through the design fund and
19 CARES funds, including needs assessments which may or
20 may not lead to capital investments, none of the funds
21 appropriated under this heading shall be used for any
22 project which has not been approved by the Congress in
23 the budgetary process: *Provided further*, That funds pro-
24 vided in this appropriation for fiscal year 2003, for each
25 approved project (except those for CARES activities ref-

1 erenced above) shall be obligated: (1) by the awarding of
2 a construction documents contract by September 30,
3 2003; and (2) by the awarding of a construction contract
4 by September 30, 2004: *Provided further*, That the Sec-
5 retary of Veterans Affairs shall promptly report in writing
6 to the Committees on Appropriations any approved major
7 construction project in which obligations are not incurred
8 within the time limitations established above: *Provided*
9 *further*, That no funds from any other account except the
10 “Parking revolving fund”, may be obligated for con-
11 structing, altering, extending, or improving a project
12 which was approved in the budget process and funded in
13 this account until one year after substantial completion
14 and beneficial occupancy by the Department of Veterans
15 Affairs of the project or any part thereof with respect to
16 that part only.

17 CONSTRUCTION, MINOR PROJECTS

18 For constructing, altering, extending, and improving
19 any of the facilities under the jurisdiction or for the use
20 of the Department of Veterans Affairs, including planning
21 and assessments of needs which may lead to capital invest-
22 ments, architectural and engineering services, mainte-
23 nance or guarantee period services costs associated with
24 equipment guarantees provided under the project, services
25 of claims analysts, offsite utility and storm drainage sys-
26 tem construction costs, and site acquisition, or for any of

1 the purposes set forth in sections 316, 2404, 2406, 8102,
2 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title
3 38, United States Code, where the estimated cost of a
4 project is less than \$4,000,000, \$210,700,000, to remain
5 available until expended, along with unobligated balances
6 of previous “Construction, minor projects” appropriations
7 which are hereby made available for any project where the
8 estimated cost is less than \$4,000,000, of which
9 \$35,000,000 shall be for Capital Asset Realignment for
10 Enhanced Services (CARES) activities: *Provided*, That
11 from amounts appropriated under this heading, additional
12 amounts may be used for CARES activities upon notifica-
13 tion of and approval by the Committees on Appropria-
14 tions: *Provided further*, That funds in this account shall
15 be available for: (1) repairs to any of the nonmedical facili-
16 ties under the jurisdiction or for the use of the department
17 which are necessary because of loss or damage caused by
18 any natural disaster or catastrophe; and (2) temporary
19 measures necessary to prevent or to minimize further loss
20 by such causes.

21 PARKING REVOLVING FUND

22 For the parking revolving fund as authorized by 38
23 U.S.C. 8109, income from fees collected, to remain avail-
24 able until expended, which shall be available for all author-
25 ized expenses except operations and maintenance costs,
26 which will be funded from “Medical care”.

1 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
2 FACILITIES

3 For grants to assist States to acquire or construct
4 State nursing home and domiciliary facilities and to re-
5 model, modify or alter existing hospital, nursing home and
6 domiciliary facilities in State homes, for furnishing care
7 to veterans as authorized by 38 U.S.C. 8131–8137,
8 \$100,000,000, to remain available until expended.

9 GRANTS FOR THE CONSTRUCTION OF STATE VETERANS
10 CEMETERIES

11 For grants to aid States in establishing, expanding,
12 or improving State veterans cemeteries as authorized by
13 38 U.S.C. 2408, \$32,000,000, to remain available until
14 expended.

15 ADMINISTRATIVE PROVISIONS

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 101. Any appropriation for fiscal year 2003 for
18 “Compensation and pensions”, “Readjustment benefits”,
19 and “Veterans insurance and indemnities” may be trans-
20 ferred to any other of the mentioned appropriations.

21 SEC. 102. Appropriations available to the Depart-
22 ment of Veterans Affairs for fiscal year 2003 for salaries
23 and expenses shall be available for services authorized by
24 5 U.S.C. 3109.

25 SEC. 103. No appropriations in this Act for the De-
26 partment of Veterans Affairs (except the appropriations

1 for “Construction, major projects”, “Construction, minor
2 projects”, and the “Parking revolving fund”) shall be
3 available for the purchase of any site for or toward the
4 construction of any new hospital or home.

5 SEC. 104. No appropriations in this Act for the De-
6 partment of Veterans Affairs shall be available for hos-
7 pitalization or examination of any persons (except bene-
8 ficiaries entitled under the laws bestowing such benefits
9 to veterans, and persons receiving such treatment under
10 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless re-
11 imbursement of cost is made to the “Medical care” ac-
12 count at such rates as may be fixed by the Secretary of
13 Veterans Affairs.

14 SEC. 105. Appropriations available to the Depart-
15 ment of Veterans Affairs for fiscal year 2003 for “Com-
16 pensation and pensions”, “Readjustment benefits”, and
17 “Veterans insurance and indemnities” shall be available
18 for payment of prior year accrued obligations required to
19 be recorded by law against the corresponding prior year
20 accounts within the last quarter of fiscal year 2002.

21 SEC. 106. Appropriations accounts available to the
22 Department of Veterans Affairs for fiscal year 2003 shall
23 be available to pay prior year obligations of corresponding
24 prior year appropriations accounts resulting from title X
25 of the Competitive Equality Banking Act, Public Law

1 100–86, except that if such obligations are from trust
2 fund accounts they shall be payable from “Compensation
3 and pensions”.

4 SEC. 107. Notwithstanding any other provision of
5 law, during fiscal year 2003, the Secretary of Veterans
6 Affairs shall, from the National Service Life Insurance
7 Fund (38 U.S.C. 1920), the Veterans’ Special Life Insur-
8 ance Fund (38 U.S.C. 1923), and the United States Gov-
9 ernment Life Insurance Fund (38 U.S.C. 1955), reim-
10 burse the “General operating expenses” account for the
11 cost of administration of the insurance programs financed
12 through those accounts: *Provided*, That reimbursement
13 shall be made only from the surplus earnings accumulated
14 in an insurance program in fiscal year 2003 that are avail-
15 able for dividends in that program after claims have been
16 paid and actuarially determined reserves have been set
17 aside: *Provided further*, That if the cost of administration
18 of an insurance program exceeds the amount of surplus
19 earnings accumulated in that program, reimbursement
20 shall be made only to the extent of such surplus earnings:
21 *Provided further*, That the Secretary shall determine the
22 cost of administration for fiscal year 2003 which is prop-
23 erly allocable to the provision of each insurance program
24 and to the provision of any total disability income insur-
25 ance included in such insurance program.

1 SEC. 108. Notwithstanding any other provision of
2 law, the Department of Veterans Affairs shall continue the
3 Franchise Fund pilot program authorized to be estab-
4 lished by section 403 of Public Law 103–356 until Octo-
5 ber 1, 2003: *Provided*, That the Franchise Fund, estab-
6 lished by title I of Public Law 104–204 to finance the
7 operations of the Franchise Fund pilot program, shall con-
8 tinue until October 1, 2003.

9 SEC. 109. Amounts deducted from enhanced-use
10 lease proceeds to reimburse an account for expenses in-
11 curred by that account during a prior fiscal year for pro-
12 viding enhanced-use lease services, may be obligated dur-
13 ing the fiscal year in which the proceeds are received.

14 SEC. 110. Funds available in any Department of Vet-
15 erans Affairs appropriation for fiscal year 2003 or funds
16 for salaries and other administrative expenses shall also
17 be available to reimburse the Office of Resolution Manage-
18 ment and the Office of Employment Discrimination Com-
19 plaint Adjudication for all services provided at rates which
20 will recover actual costs but not exceed \$29,318,000 for
21 the Office of Resolution Management and \$3,010,000 for
22 the Office of Employment and Discrimination Complaint
23 Adjudication: *Provided*, That payments may be made in
24 advance for services to be furnished based on estimated
25 costs: *Provided further*, That amounts received shall be

1 credited to “General operating expenses” for use by the
2 office that provided the service.

3 SEC. 111. (a)(1) Section 1729B of title 38, United
4 States Code, is repealed. Any balance as of the date of
5 the enactment of this Act in the Department of Veterans
6 Affairs Health Services Improvement Fund established
7 under such section shall be transferred to the Department
8 of Veterans Affairs Medical Care Collections Fund estab-
9 lished under section 1729A of title 38, United States
10 Code.

11 (2) The table of sections at the beginning of chapter
12 17 of such title is amended by striking the item relating
13 to section 1729B.

14 (b) Section 1729A(b) of such title is amended—

15 (1) by redesignating paragraph (8) as para-
16 graph (10); and

17 (2) by inserting after paragraph (7) the fol-
18 lowing new paragraphs:

19 “(7) Section 8165(a) of this title.

20 “(8) Section 113 of the Veterans Millennium
21 Health Care and Benefits Act (Public Law 106–117;
22 38 U.S.C. 8111 note).”.

23 (c) Section 1722A of such title is amended—

24 (1) in subsection (c)—

1 (A) in the first sentence, by striking
2 “under subsection (a)” and inserting “under
3 this section”; and

4 (B) by striking the second sentence; and
5 (2) by striking subsection (d).

6 (d)(1) Section 8165 of such title is amended by strik-
7 ing “Department of Veterans Affairs Health Services Im-
8 provement Fund established under section 1729B of this
9 title” and inserting “Department of Veterans Affairs Med-
10 ical Care Collections Fund established under section
11 1729A of this title”.

12 (2) Section 113(b) of the Veterans Millennium
13 Health Care and Benefits Act (Public Law 106–117; 38
14 U.S.C. 8111 note) is amended by striking “Department
15 of Veterans Affairs Health Services Improvement Fund
16 established under section 1729B of title 38 United States
17 Code, as added by section 202” and inserting “Depart-
18 ment of Veterans Affairs Medical Care Collections Fund
19 established under section 1729A of title 38, United States
20 Code”.

1 TITLE II—DEPARTMENT OF HOUSING AND
2 URBAN DEVELOPMENT
3 PUBLIC AND INDIAN HOUSING
4 HOUSING CERTIFICATE FUND
5 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

6 For assistance under the United States Housing Act
7 of 1937, as amended (“the Act” herein) (42 U.S.C. 1437
8 et seq.), not otherwise provided for, including for activities
9 and assistance to prevent the involuntary displacement of
10 low-income families, the elderly and the disabled because
11 of the loss of affordable housing stock, expiration of sub-
12 sidy contracts (other than contracts for which amounts are
13 provided under another heading in this Act) or expiration
14 of use restrictions, or other changes in housing assistance
15 arrangements, and for other purposes, \$17,412,464,000
16 and amounts recaptured in this account, to remain avail-
17 able until expended: *Provided*, That of the amount pro-
18 vided under this heading, \$4,200,000,000 shall be avail-
19 able on October 1, 2003: *Provided further*, That the fore-
20 going amounts shall be for use in connection with expiring
21 or terminating section 8 subsidy contracts, for amend-
22 ments to section 8 subsidy contracts, for enhanced vouch-
23 ers (including amendments and renewals) under any provi-
24 sion of law authorizing such assistance under section 8(t)
25 of the Act (42 U.S.C. 1437f(t)), contract administrators,
26 and contracts entered into pursuant to section 441 of the

1 McKinney-Vento Homeless Assistance Act: *Provided fur-*
2 *ther*, That amounts provided under this heading shall be
3 available for section 8 rental assistance under the Act: (1)
4 for the relocation and replacement of housing units that
5 are demolished or disposed of pursuant to the Omnibus
6 Consolidated Rescissions and Appropriations Act of 1996
7 (Public Law 104–134; Stat. 1321–269); (2) for the con-
8 version of section 23 projects to assistance under section
9 8; (3) for funds to carry out the family unification pro-
10 gram; (4) for the relocation of witnesses in connection
11 with efforts to combat crime in public and assisted hous-
12 ing pursuant to a request from a law enforcement or pros-
13 ecution agency; (5) for tenant protection assistance, in-
14 cluding replacement and relocation assistance; and (6) for
15 the 1-year renewal of section 8 contracts for units in
16 projects that are subject to approved plans of action under
17 the Emergency Low Income Housing Preservation Act of
18 1987 or the Low-Income Housing Preservation and Resi-
19 dent Homeownership Act of 1990: *Provided further*, That
20 of the amount provided under this heading, no less than
21 \$3,000,000 shall be transferred to the Working Capital
22 Fund for the development of and modifications to informa-
23 tion technology systems which serve activities under “Pub-
24 lic and Indian Housing”: *Provided further*, That of the
25 amount provided under this heading, \$90,075,000 shall be

1 made available for new incremental vouchers under section
2 8 of the Act; of which \$30,075,000 shall be made available
3 on a fair share basis to those public housing agencies that
4 have no less than a 97 percent occupancy rate; and of
5 which \$40,000,000 shall be made available to nonelderly
6 disabled families affected by the designation of a public
7 housing development under section 7 of the Act, the estab-
8 lishment of preferences in accordance with section 651 of
9 the Housing and Community Development Act of 1992
10 (42 U.S.C. 13611), or the restriction of occupancy to el-
11 derly families in accordance with section 658 of such Act
12 (42 U.S.C. 13618); and of which up to \$20,000,000 shall
13 be made available for welfare-to-work vouchers: *Provided*
14 *further*, That the amounts made available for incremental
15 vouchers under this heading for this fiscal year and all
16 prior fiscal years (to the extent practicable for prior fiscal
17 years) for non-elderly disabled families shall be provided
18 to non-elderly disabled families upon turnover or renewal:
19 *Provided further*, That the amounts made available for in-
20 cremental vouchers under this heading for welfare-to-work
21 families shall continue to be made available for welfare-
22 to-work families upon turnover or renewal: *Provided fur-*
23 *ther*, That up to \$196,000,000 from amounts made avail-
24 able under this heading may be made available for con-
25 tract administrators: *Provided further*, That amounts

1 available under this heading may be made available for
2 administrative fees and other expenses to cover the cost
3 of administering rental assistance programs under section
4 8 of the Act: *Provided further*, That the fee otherwise au-
5 thorized under section 8(q) of the Act shall be determined
6 in accordance with section 8(q), as in effect immediately
7 before the enactment of the Quality Housing and Work
8 Responsibility Act of 1998: *Provided further*, That
9 \$1,100,000,000 is rescinded from unobligated balances re-
10 maining from funds appropriated to the Department of
11 Housing and Urban Development under this heading or
12 the heading “Annual contributions for assisted housing”
13 or any other heading for fiscal year 2002 and prior years,
14 to be effected by the Secretary no later than September
15 30, 2003: *Provided further*, That any such balances gov-
16 erned by reallocation provisions under the statute author-
17 izing the program for which the funds were originally ap-
18 propriated may be available for this rescission: *Provided*
19 *further*, That the Secretary shall have until September 30,
20 2003, to meet the rescission in the proviso preceding the
21 immediately preceding proviso: *Provided further*, That any
22 obligated balances of contract authority that have been
23 terminated shall be canceled.

1 PUBLIC HOUSING CAPITAL FUND
2 (INCLUDING TRANSFERS OF FUNDS)

3 For the Public Housing Capital Fund Program to
4 carry out capital and management activities for public
5 housing agencies, as authorized under section 9 of the
6 United States Housing Act of 1937, as amended (42
7 U.S.C. 1437g), \$2,783,400,000, to remain available until
8 September 30, 2006: *Provided*, That, hereafter, notwith-
9 standing any other provision of law or any failure of the
10 Secretary of Housing and Urban Development to issue
11 regulations to carry out section 9(j) of the United States
12 Housing Act of 1937 (42 U.S.C. 1437g(j)), such section
13 is deemed to have taken effect on October 1, 1998, and,
14 except as otherwise provided in this heading, shall apply
15 to all assistance made available under this same heading
16 on or after such date: *Provided further*, That notwith-
17 standing any other provision of law or regulation, during
18 fiscal year 2003, the Secretary may not delegate to any
19 Department official other than the Deputy Secretary any
20 authority under paragraph (2) of such section 9(j) regard-
21 ing the extension of the time periods under such section
22 for obligation of amounts made available for fiscal year
23 1998, 1999, 2000, 2001, 2002, or 2003: *Provided further*,
24 That notwithstanding the first proviso and paragraphs (3)
25 and (5)(B) of such section 9(j), if at any time before the
26 effectiveness of final regulations issued by the Secretary

1 under section 6(j) of the United States Housing Act of
2 1937 (42 U.S.C. 1437d(j)) providing for assessment of
3 public housing agencies and designation of high-per-
4 forming agencies, any amounts made available under the
5 public housing Capital Fund for fiscal year 1999, 2000,
6 2001, 2002, or 2003 remain unobligated in violation of
7 paragraph (1) of such section 9(j) or unexpended in viola-
8 tion of paragraph (5)(A) of such section 9(j), the Sec-
9 retary shall recapture any such amounts and reallocate
10 such amounts among public housing agencies that, at the
11 time of such reallocation, are not in violation of any re-
12 quirement under paragraph (1) or (5)(A) of such section:
13 *Provided further*, That for purposes of this heading, the
14 term “obligate” means, with respect to amounts, that the
15 amounts are subject to a binding agreement that will re-
16 sult in outlays immediately or in the future: *Provided fur-*
17 *ther*, That of the total amount provided under this head-
18 ing, up to \$54,000,000 shall be for carrying out activities
19 under section 9(h) of such Act, of which up to
20 \$13,000,000 shall be for the provision of remediation serv-
21 ices to public housing agencies identified as “troubled”
22 under the Section 8 Management Assessment Program
23 and for surveys used to calculate local Fair Market Rents
24 and assess housing conditions in connection with rental
25 assistance under section 8 of the Act: *Provided further*,

1 That of the total amount provided under this heading, up
2 to \$500,000 shall be for lease adjustments to section 23
3 projects, and no less than \$18,600,000 shall be trans-
4 ferred to the Working Capital Fund for the development
5 and maintenance of information technology systems: *Pro-*
6 *vided further*, That no funds may be used under this head-
7 ing for the purposes specified in section 9(k) of the United
8 States Housing Act of 1937, as amended: *Provided fur-*
9 *ther*, That of the total amount provided under this head-
10 ing, up to \$75,000,000 shall be available for the Secretary
11 of Housing and Urban Development to make grants to
12 public housing agencies for emergency capital needs re-
13 sulting from emergencies and natural disasters in fiscal
14 year 2003: *Provided further*, That of the total amount pro-
15 vided under this heading, \$15,000,000 shall be for a
16 Neighborhood Networks initiative for activities authorized
17 in section 9(d)(1)(E) of the United States Housing Act
18 of 1937, as amended: *Provided further*, That notwith-
19 standing any other provision of law, amounts made avail-
20 able in the previous proviso shall be awarded to public
21 housing agencies on a competitive basis as provided in sec-
22 tion 102 of the Department of Housing and Urban Devel-
23 opment Reform Act of 1989: *Provided further*, That of the
24 total amount provided under this heading, up to
25 \$250,000,000 shall be made available to Public Housing

1 Authorities for use in the rehabilitation of distressed units,
2 the development of off-site public housing units in mixed-
3 income housing developments, or for loan loss reserves to
4 support such activities.

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

16 PUBLIC HOUSING OPERATING FUND

17 For payments to public housing agencies for the oper-
18 ation and management of public housing, as authorized
19 by section 9(e) of the United States Housing Act of 1937,
20 as amended (42 U.S.C. 1437g(e)), \$3,530,000,000, to re-
21 main available until September 30, 2004: *Provided*, That
22 of the total amount provided under this heading,
23 \$10,000,000 shall be for programs, as determined appro-
24 priate by the Attorney General, which assist in the inves-
25 tigation, prosecution, and prevention of violent crimes and
26 drug offenses in public and federally-assisted low-income

1 housing, including Indian housing, which shall be adminis-
2 tered by the Department of Justice through a reimburs-
3 able agreement with the Department of Housing and
4 Urban Development: *Provided further*, That no funds may
5 be used under this heading for the purposes specified in
6 section 9(k) of the United States Housing Act of 1937,
7 as amended.

8 REVITALIZATION OF SEVERELY DISTRESSED PUBLIC
9 HOUSING (HOPE VI)

10 For grants to public housing agencies for demolition,
11 site revitalization, replacement housing, and tenant-based
12 assistance grants to projects as authorized by section 24
13 of the United States Housing Act of 1937, as amended,
14 \$574,000,000, to remain available until September 30,
15 2004, of which the Secretary may use up to \$6,250,000
16 for technical assistance and contract expertise, to be pro-
17 vided directly or indirectly by grants, contracts or coopera-
18 tive agreements, including training and cost of necessary
19 travel for participants in such training, by or to officials
20 and employees of the department and of public housing
21 agencies and to residents: *Provided*, That none of such
22 funds shall be used directly or indirectly by granting com-
23 petitive advantage in awards to settle litigation or pay
24 judgments, unless expressly permitted herein: *Provided*
25 *further*, That of the total amount provided under this
26 heading, \$5,000,000 shall be for a Neighborhood Net-

1 works initiative for activities authorized in section
2 24(d)(1)(G) of the United States Housing Act of 1937,
3 as amended: *Provided further*, That notwithstanding any
4 other provision of law, amounts made available in the pre-
5 vious proviso shall be awarded to public housing agencies
6 on a competitive basis as provided in section 102 of the
7 Department of Housing and Urban Development Reform
8 Act of 1989.

9 NATIVE AMERICAN HOUSING BLOCK GRANTS

10 (INCLUDING TRANSFERS OF FUNDS)

11 For the Native American Housing Block Grants pro-
12 gram, as authorized under title I of the Native American
13 Housing Assistance and Self-Determination Act of 1996
14 (NAHASDA) (25 U.S.C. 4111 et seq.), \$648,570,000, to
15 remain available until expended, of which \$2,200,000 shall
16 be contracted through the Secretary as technical assist-
17 ance and capacity building to be used by the National
18 American Indian Housing Council in support of the imple-
19 mentation of NAHASDA; of which \$5,000,000 shall be
20 to support the inspection of Indian housing units, contract
21 expertise, training, and technical assistance in the train-
22 ing, oversight, and management of Indian housing and
23 tenant-based assistance, including up to \$300,000 for re-
24 lated travel; and of which no less than \$600,000 shall be
25 transferred to the Working Capital Fund for development
26 of and modifications to information technology systems

1 which serve programs or activities under “Public and In-
2 dian housing”: *Provided*, That of the amount provided
3 under this heading, \$2,000,000 shall be made available
4 for the cost of guaranteed notes and other obligations, as
5 authorized by title VI of NAHASDA: *Provided further*,
6 That such costs, including the costs of modifying such
7 notes and other obligations, shall be as defined in section
8 502 of the Congressional Budget Act of 1974, as amend-
9 ed: *Provided further*, That these funds are available to sub-
10 sidize the total principal amount of any notes and other
11 obligations, any part of which is to be guaranteed, not to
12 exceed \$16,658,000: *Provided further*, That the Secretary
13 of Housing and Urban Development may provide technical
14 and financial assistance to Indian tribes and their tribally-
15 designated housing entities in accordance with the provi-
16 sions of NAHASDA for emergency housing, housing as-
17 sistance, and other assistance to address the problem of
18 mold: *Provided further*, That for administrative expenses
19 to carry out the guaranteed loan program, up to \$150,000
20 from amounts in the first proviso, which shall be trans-
21 ferred to and merged with the appropriation for “Salaries
22 and expenses”, to be used only for the administrative costs
23 of these guarantees.

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

4 For the cost of guaranteed loans, as authorized by
5 section 184 of the Housing and Community Development
6 Act of 1992 (12 U.S.C. 1715z-13a), \$5,000,000, to re-
7 main available until expended: *Provided*, That such costs,
8 including the costs of modifying such loans, shall be as
9 defined in section 502 of the Congressional Budget Act
10 of 1974, as amended: *Provided further*, That these funds
11 are available to subsidize total loan principal, any part of
12 which is to be guaranteed, not to exceed \$197,243,000.

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

19 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND
20 PROGRAM ACCOUNT
21 (INCLUDING TRANSFER OF FUNDS)

22 For the cost of guaranteed loans, as authorized by
23 section 184A of the Housing and Community Develop-
24 ment Act of 1992 (12 U.S.C. 1715z-13b), \$1,000,000, to
25 remain available until expended: *Provided*, That such
26 costs, including the costs of modifying such loans, shall

1 be as defined in section 502 of the Congressional Budget
2 Act of 1974, as amended: *Provided further*, That these
3 funds are available to subsidize total loan principal, any
4 part of which is to be guaranteed, not to exceed
5 \$39,712,000.

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

12 COMMUNITY PLANNING AND DEVELOPMENT

13 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

14 For carrying out the Housing Opportunities for Per-
15 sons with AIDS program, as authorized by the AIDS
16 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
17 \$292,000,000, to remain available until September 30,
18 2004: *Provided*, That the Secretary shall renew all expir-
19 ing contracts for permanent supportive housing that were
20 funded under section 854(c)(3) of such Act that meet all
21 program requirements before awarding funds for new con-
22 tracts and activities authorized under this section: *Pro-*
23 *vided further*, That the Secretary may use up to
24 \$2,000,000 of the funds under this heading for training,
25 oversight, and technical assistance activities.

1 RURAL HOUSING AND ECONOMIC DEVELOPMENT

2 For the Office of Rural Housing and Economic De-
3 velopment in the Department of Housing and Urban De-
4 velopment, \$25,000,000 to remain available until ex-
5 pended, which amount shall be awarded by June 1, 2004,
6 to Indian tribes, State housing finance agencies, State
7 community and/or economic development agencies, local
8 rural nonprofits and community development corporations
9 to support innovative housing and economic development
10 activities in rural areas: *Provided*, That all grants shall
11 be awarded on a competitive basis as specified in section
12 102 of the Department of Housing and Urban Develop-
13 ment Reform Act of 1989.

14 EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

15 For grants in connection with a second round of em-
16 powerment zones and enterprise communities,
17 \$30,000,000, to remain available until expended, for
18 “Urban Empowerment Zones”, as authorized in section
19 1391(g) of the Internal Revenue Code of 1986 (26 U.S.C.
20 1391(g)), including \$2,000,000 for each empowerment
21 zone for use in conjunction with economic development ac-
22 tivities consistent with the strategic plan of each empower-
23 ment zone.

1 COMMUNITY DEVELOPMENT FUND
2 (INCLUDING TRANSFERS OF FUNDS)

3 For assistance to units of State and local govern-
4 ment, and to other entities, for economic and community
5 development activities, and for other purposes,
6 \$5,050,000,000, to remain available until September 30,
7 2005: *Provided*, That of the amount provided,
8 \$4,610,200,000 is for carrying out the community devel-
9 opment block grant program under title I of the Housing
10 and Community Development Act of 1974, as amended
11 (the “Act” herein) (42 U.S.C. 5301 et seq.): *Provided fur-*
12 *ther*, That \$72,500,000 shall be for grants to Indian tribes
13 notwithstanding section 106(a)(1) of such Act;
14 \$3,300,000 shall be for a grant to the Housing Assistance
15 Council; \$2,600,000 shall be for a grant to the National
16 American Indian Housing Council; \$2,000,000 shall be for
17 a grant to Girl Scouts of the USA for youth development
18 initiatives in public housing; \$2,000,000 shall be for a
19 grant to Boys and Girls Clubs of America for the oper-
20 ating and start-up costs of clubs located in or near, and
21 primarily serving residents of, public and Indian housing;
22 and \$45,500,000 shall be for grants pursuant to section
23 107 of the Act of which \$4,000,000 shall be to support
24 Alaska Native serving institutions and Native Hawaiian
25 serving institutions as defined under the Higher Edu-
26 cation Act, as amended, \$3,000,000 shall be for tribal col-

1 leges and universities to build, expand, renovate and equip
2 their facilities, \$7,000,000 shall be for insular areas,
3 \$11,000,000 shall be for historically black colleges and
4 universities, \$3,000,000 shall be for community develop-
5 ment work study, \$10,000,000 shall be for the Depart-
6 ment of Hawaiian Homeland to provide assistance as au-
7 thorized under title VIII of the Native American Housing
8 Assistance and Self-Determination Act of 1996 (22 U.S.C.
9 4221 et seq.) (with no more than 5 percent of such funds
10 being available for administrative costs), and of which
11 \$7,500,000 shall be for Hispanic serving institutions: *Pro-*
12 *vided further*, That no less than \$3,400,000 shall be trans-
13 ferred to the Working Capital Fund for the development
14 of and modification to information technology systems
15 which serve programs or activities under “Community
16 planning and development”: *Provided further*, That
17 \$22,000,000 shall be for grants pursuant to the Self Help
18 Homeownership Opportunity Program: *Provided further*,
19 That not to exceed 20 percent of any grant made with
20 funds appropriated under this heading (other than a grant
21 made available in this paragraph to the Housing Assist-
22 ance Council or the National American Indian Housing
23 Council, or a grant using funds under section 107(b)(3)
24 of the Act) shall be expended for “Planning and Manage-

1 ment Development” and “Administration”, as defined in
2 regulations promulgated by the Department.

3 Of the amount made available under this heading,
4 \$35,500,000 shall be for capacity building, of which
5 \$31,500,000 shall be for Capacity Building for Commu-
6 nity Development and Affordable Housing for LISC and
7 the Enterprise Foundation for activities as authorized by
8 section 4 of the HUD Demonstration Act of 1993 (42
9 U.S.C. 9816 note), as in effect immediately before June
10 12, 1997, with not less than \$5,000,000 of the funding
11 to be used in rural areas, including tribal areas, and of
12 which \$4,000,000 shall be for capacity building activities
13 administered by Habitat for Humanity International.

14 Of the amount made available under this heading,
15 \$40,000,000 shall be available for neighborhood initiatives
16 that are utilized to improve the conditions of distressed
17 and blighted areas and neighborhoods, to stimulate invest-
18 ment, economic diversification, and community revitaliza-
19 tion in areas with population outmigration or a stagnating
20 or declining economic base, or to determine whether hous-
21 ing benefits can be integrated more effectively with welfare
22 reform initiatives, of which \$1,000,000 shall be for a grant
23 to National Housing Trust/Enterprise Preservation Cor-
24 poration to preserve 5,000 affordable apartments for low-
25 income people and \$5,000,000 shall be for a grant to the

1 Housing Partnership Network for a revolving loan fund
2 for single-family homeownership development and loans to
3 nonprofit affordable housing organizations.

4 Of the amount made available under this heading,
5 notwithstanding any other provision of law, \$65,000,000
6 shall be available for YouthBuild program activities au-
7 thorized by subtitle D of title IV of the Cranston-Gonzalez
8 National Affordable Housing Act, as amended, and such
9 activities shall be an eligible activity with respect to any
10 funds made available under this heading: *Provided*, That
11 local YouthBuild programs that demonstrate an ability to
12 leverage private and nonprofit funding shall be given a pri-
13 ority for YouthBuild funding: *Provided further*, That no
14 more than 10 percent of any grant award may be used
15 for administrative costs: *Provided further*, That not less
16 than \$10,000,000 shall be available for grants to establish
17 YouthBuild programs in underserved and rural areas: *Pro-*
18 *vided further*, That of the amount provided under this
19 paragraph, \$2,000,000 shall be set aside and made avail-
20 able for a grant to YouthBuild USA for capacity building
21 for community development and affordable housing activi-
22 ties as specified in section 4 of the HUD Demonstration
23 Act of 1993, as amended.

24 Of the amount made available under this heading,
25 \$140,000,000 shall be available for grants for the Eco-

1 nomic Development Initiative (EDI) to finance a variety
 2 of targeted economic investments in accordance with the
 3 terms and conditions specified in the report accompanying
 4 this Act.

5 The referenced statement of the managers under the
 6 heading “Community development block grants” in title
 7 II of Public Law 105–277 is deemed to be amended by
 8 striking “\$750,000 to the Maryland State Department of
 9 Housing and Community Development for relocation of
 10 residents of Wagners Point community in Baltimore,
 11 Maryland” and insert in lieu thereof “\$750,000 to the
 12 Maryland State Department of Housing and Community
 13 Development for relocation of residents of Wagners Point
 14 community in Baltimore, Maryland (\$514,000) and for
 15 housing assistance for victims of the April, 2002 tornado
 16 in Charles and Calvert Counties (\$236,000)”.

17 COMMUNITY DEVELOPMENT LOAN GUARANTEES

18 PROGRAM ACCOUNT

19 (INCLUDING TRANSFER OF FUNDS)

20 For the cost of guaranteed loans, \$14,000,000, to re-
 21 main available until September 30, 2004, as authorized
 22 by section 108 of the Housing and Community Develop-
 23 ment Act of 1974, as amended: *Provided*, That such costs,
 24 including the cost of modifying such loans, shall be as de-
 25 fined in section 502 of the Congressional Budget Act of
 26 1974, as amended: *Provided further*, That these funds are

1 available to subsidize total loan principal, any part of
2 which is to be guaranteed, not to exceed \$608,696,000,
3 notwithstanding any aggregate limitation on outstanding
4 obligations guaranteed in section 108(k) of the Housing
5 and Community Development Act of 1974, as amended:
6 *Provided further*, That in addition, for administrative ex-
7 penses to carry out the guaranteed loan program,
8 \$1,000,000, which shall be transferred to and merged with
9 the appropriation for “Salaries and expenses”.

10 BROWNFIELDS REDEVELOPMENT

11 For Economic Development Grants for Brownfields
12 redevelopment projects, \$25,000,000, to remain available
13 until September 30, 2004: *Provided*, That the Secretary
14 of Housing and Urban Development shall make these
15 grants available on a competitive basis as specified in sec-
16 tion 102 of the Department of Housing and Urban Devel-
17 opment Reform Act of 1989: *Provided further*, That not-
18 withstanding section 108(q) of the Housing and Commu-
19 nity Development Act of 1974, recipients of funding made
20 available under this heading may, at the discretion of the
21 Secretary, also apply for funding under section 108.

22 HOME INVESTMENT PARTNERSHIPS PROGRAM

23 (INCLUDING TRANSFER OF FUNDS)

24 For the HOME investment partnerships program,
25 as authorized under title II of the Cranston-Gonzalez Na-
26 tional Affordable Housing Act, as amended,

1 \$1,950,000,000, to remain available until September 30,
2 2005: *Provided*, That of the total amount provided under
3 this heading, up to \$40,000,000 shall be available for
4 housing counseling under section 106 of the Housing and
5 Urban Development Act of 1968; and no less than
6 \$1,100,000 shall be transferred to the Working Capital
7 Fund for the development of and maintenance of, and
8 modification to information technology systems which
9 serve Programs or activities under “Community Planning
10 and Development”.

11 HOMELESS ASSISTANCE GRANTS
12 (INCLUDING TRANSFER OF FUNDS)

13 For the emergency shelter grants program as author-
14 ized under subtitle B of title IV of the McKinney-Vento
15 Homeless Assistance Act, as amended; the supportive
16 housing program as authorized under subtitle C of title
17 IV of such Act; the section 8 moderate rehabilitation sin-
18 gle room occupancy program as authorized under the
19 United States Housing Act of 1937, as amended, to assist
20 homeless individuals pursuant to section 441 of the
21 McKinney-Vento Homeless Assistance Act; and the shelter
22 plus care program as authorized under subtitle F of title
23 IV of such Act, \$1,215,025,000, of which \$193,000,000
24 shall be available to renew expiring shelter plus care
25 grants, to remain available until September 30, 2005: *Pro-*
26 *vided*, That not less than 30 percent of funds made avail-

1 able, excluding amounts provided for renewals under the
2 shelter plus care program, shall be used for permanent
3 housing: *Provided further*, That all funds awarded for
4 services shall be matched by 25 percent in funding by each
5 grantee: *Provided further*, That the Secretary shall renew
6 on an annual basis expiring contracts or amendments to
7 contracts funded under the shelter plus care program if
8 the program is determined to be needed under the applica-
9 ble continuum of care and meets appropriate program re-
10 quirements and financial standards, as determined by the
11 Secretary: *Provided further*, That all awards of assistance
12 under this heading shall be required to coordinate and in-
13 tegrate homeless programs with other mainstream health,
14 social services, and employment programs for which home-
15 less populations may be eligible, including Medicaid, State
16 Children's Health Insurance Program, Temporary Assist-
17 ance for Needy Families, Food Stamps, and services fund-
18 ing through the Mental Health and Substance Abuse
19 Block Grant, Workforce Investment Act, and the Welfare-
20 to-Work grant program: *Provided further*, That
21 \$17,600,000 of the funds appropriated under this heading
22 shall be available for technical assistance and management
23 information systems: *Provided further*, That no less than
24 \$1,500,000 of the funds appropriated under this heading
25 shall be transferred to the Working Capital Fund: for the

1 development of and modifications to information tech-
2 nology systems which serve activities under “Community
3 Planning and Development”.

4 HOUSING PROGRAMS

5 HOUSING FOR SPECIAL POPULATIONS

6 (INCLUDING TRANSFER OF FUNDS)

7 For assistance for the purchase, construction, acqui-
8 sition, or development of additional public and subsidized
9 housing units for low income families not otherwise pro-
10 vided for, \$1,033,801,000, to remain available until Sep-
11 tember 30, 2005: *Provided*, That \$783,286,000, plus re-
12 captures or cancelled commitments, shall be for capital ad-
13 vances, including amendments to capital advance con-
14 tracts, for housing for the elderly, as authorized by section
15 202 of the Housing Act of 1959, as amended, and for
16 project rental assistance for the elderly under section
17 202(c)(2) of such Act, including amendments to contracts
18 for such assistance and renewal of expiring contracts for
19 such assistance for up to a 1-year term, which shall re-
20 main available for disbursement until September 30,
21 2015, and for supportive services associated with the hous-
22 ing, of which amount \$44,000,000 plus up to \$9,000,000
23 of amounts recaptured or commitments cancelled under
24 this heading, shall be for service coordinators and the con-
25 tinuation of existing congregate service grants for resi-
26 dents of assisted housing projects, and of which amount

1 up to \$50,000,000 shall be for grants under section 202b
2 of the Housing Act of 1959 (12 U.S.C. 1701q-2) for con-
3 version of eligible projects under such section to assisted
4 living or related use: *Provided further*, That of the amount
5 under this heading, \$250,515,000 shall be for capital ad-
6 vances, including amendments to capital advance con-
7 tracts, for supportive housing for persons with disabilities,
8 as authorized by section 811 of the Cranston-Gonzalez
9 National Affordable Housing Act, for project rental assist-
10 ance for supportive housing for persons with disabilities
11 under section 811(d)(2) of such Act, including amend-
12 ments to contracts for such assistance and renewal of ex-
13 piring contracts for such assistance for up to a 1-year
14 term, which shall remain available for disbursement until
15 September 30, 2015, and for supportive services associ-
16 ated with the housing for persons with disabilities as au-
17 thorized by section 811(b)(1) of such Act, and for tenant-
18 based rental assistance contracts entered into pursuant to
19 section 811 of such Act: *Provided further*, That no less
20 than \$500,000, to be divided evenly between the appro-
21 priations for the section 202 and section 811 programs,
22 shall be transferred to the Working Capital Fund for the
23 development of and modifications to information tech-
24 nology systems which serve activities under “Housing Pro-
25 grams” or “Federal Housing Administration,”: *Provided*

1 *further*, That, in addition to amounts made available for
2 renewal of tenant-based rental assistance contracts pursu-
3 ant to the second proviso of this paragraph, the Secretary
4 may designate up to 25 percent of the amounts earmarked
5 under this paragraph for section 811 of such Act for ten-
6 ant-based assistance, as authorized under that section, in-
7 cluding such authority as may be waived under the next
8 proviso, which assistance is 5 years in duration: *Provided*
9 *further*, That the Secretary may waive any provision of
10 such section 202 and such section 811 (including the pro-
11 visions governing the terms and conditions of project rent-
12 al assistance and tenant-based assistance) that the Sec-
13 retary determines is not necessary to achieve the objectives
14 of these programs, or that otherwise impedes the ability
15 to develop, operate, or administer projects assisted under
16 these programs, and may make provision for alternative
17 conditions or terms where appropriate: *Provided further*,
18 That all balances and recaptures, as of October 1, 2002,
19 remaining in the “Congregate Housing Services” account
20 as authorized by the Housing and Community Develop-
21 ment Amendments of 1978, as amended, shall be trans-
22 ferred to and merged with the amounts for those purposes
23 under this heading.

1 FLEXIBLE SUBSIDY FUND

2 (TRANSFER OF FUNDS)

3 From the Rental Housing Assistance Fund, all un-
4 committed balances of excess rental charges as of Sep-
5 tember 30, 2002, and any collections made during fiscal
6 year 2003, shall be transferred to the Flexible Subsidy
7 Fund, as authorized by section 236(g) of the National
8 Housing Act, as amended.

9 RENTAL HOUSING ASSISTANCE

10 The limitation otherwise applicable to the maximum
11 payments that may be required in any fiscal year by all
12 contracts entered into under section 236 of the National
13 Housing Act (12 U.S.C. 1715z-1) is reduced in fiscal year
14 2003 by not more than \$100,000,000 in uncommitted bal-
15 ances of authorizations of contract authority provided for
16 this purpose in appropriations acts: *Provided*, That up to
17 \$100,000,000 of recaptured section 236 budget authority
18 resulting from any actions described in section
19 236(s)(7)(A) of the National Housing Act (12 U.S.C.
20 1715z-1) shall be made available as provided under sec-
21 tion 236(s) of the National Housing Act.

22 MANUFACTURED HOUSING FEES TRUST FUND

23 For necessary expenses as authorized by the National
24 Manufactured Housing Construction and Safety Stand-
25 ards Act of 1974, as amended (42 U.S.C. 5401 et seq.),
26 \$13,000,000, to remain available until expended, to be de-

1 rived from the Manufactured Housing Fees Trust Fund:
2 *Provided*, That not to exceed the total amount appro-
3 priated under this heading shall be available from the gen-
4 eral fund of the Treasury to the extent necessary to incur
5 obligations and make expenditures pending the receipt of
6 collections to the Fund pursuant to section 620 of such
7 Act: *Provided further*, That the amount made available
8 under this heading from the general fund shall be reduced
9 as such collections are received during fiscal year 2003
10 so as to result in a final fiscal year 2003 appropriation
11 from the general fund estimated at not more than \$0 and
12 fees pursuant to such section 620 shall be modified as nec-
13 essary to ensure such a final fiscal year 2003 appropria-
14 tion.

15 FEDERAL HOUSING ADMINISTRATION

16 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

17 (INCLUDING TRANSFERS OF FUNDS)

18 During fiscal year 2003, commitments to guarantee
19 loans to carry out the purposes of section 203(b) of the
20 National Housing Act, as amended, shall not exceed a loan
21 principal of \$160,000,000,000.

22 During fiscal year 2003, obligations to make direct
23 loans to carry out the purposes of section 204(g) of the
24 National Housing Act, as amended, shall not exceed
25 \$250,000,000: *Provided*, That the foregoing amount shall
26 be for loans to nonprofit and governmental entities in con-

1 nection with sales of single family real properties owned
2 by the Secretary and formerly insured under the Mutual
3 Mortgage Insurance Fund.

4 For administrative expenses necessary to carry out
5 the guaranteed and direct loan program, \$347,829,000,
6 of which not to exceed \$343,807,000 shall be transferred
7 to the appropriation for "Salaries and expenses"; and not
8 to exceed \$4,022,000 shall be transferred to the appro-
9 priation for "Office of Inspector General". In addition, for
10 administrative contract expenses, \$85,720,000, of which
11 no less than \$21,360,000 shall be transferred to the Work-
12 ing Capital Fund for the development of and modifications
13 to information technology systems which serve programs
14 or activities under "Housing Programs" or "Federal
15 Housing Administration": *Provided*, That to the extent
16 guaranteed loan commitments exceed \$65,500,000,000 on
17 or before April 1, 2003, an additional \$1,400 for adminis-
18 trative contract expenses shall be available for each
19 \$1,000,000 in additional guaranteed loan commitments
20 (including a pro rata amount for any amount below
21 \$1,000,000), but in no case shall funds made available by
22 this proviso exceed \$16,000,000.

23 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

24 (INCLUDING TRANSFERS OF FUNDS)

25 For the cost of guaranteed loans, as authorized by
26 sections 238 and 519 of the National Housing Act (12

1 U.S.C. 1715z-3 and 1735c), including the cost of loan
2 guarantee modifications, as that term is defined in section
3 502 of the Congressional Budget Act of 1974, as amend-
4 ed, \$15,000,000, to remain available until expended: *Pro-*
5 *vided*, That these funds are available to subsidize total
6 loan principal, any part of which is to be guaranteed, of
7 up to \$21,000,000,000.

8 Gross obligations for the principal amount of direct
9 loans, as authorized by sections 204(g), 207(l), 238, and
10 519(a) of the National Housing Act, shall not exceed
11 \$50,000,000, of which not to exceed \$30,000,000 shall be
12 for bridge financing in connection with the sale of multi-
13 family real properties owned by the Secretary and for-
14 merly insured under such Act; and of which not to exceed
15 \$20,000,000 shall be for loans to nonprofit and govern-
16 mental entities in connection with the sale of single-family
17 real properties owned by the Secretary and formerly in-
18 sured under such Act.

19 In addition, for administrative expenses necessary to
20 carry out the guaranteed and direct loan programs,
21 \$223,716,400, of which \$204,395,400, shall be trans-
22 ferred to the appropriation for “Salaries and expenses”;
23 and of which \$19,321,000 shall be transferred to the ap-
24 propriation for “Office of Inspector General”. In addition,
25 for administrative contract expenses necessary to carry

1 out the guaranteed and direct loan programs,
2 \$93,780,000, of which no less than \$14,240,000 shall be
3 transferred to the Working Capital Fund for the develop-
4 ment of and modifications to information technology sys-
5 tems which serve activities under “Housing Programs” or
6 “Federal Housing Administration”: *Provided*, That to the
7 extent guaranteed loan commitments exceed
8 \$8,426,000,000 on or before April 1, 2003, an additional
9 \$1,980 for administrative contract expenses shall be avail-
10 able for each \$1,000,000 in additional guaranteed loan
11 commitments over \$8,426,000,000 (including a pro rata
12 amount for any increment below \$1,000,000), but in no
13 case shall funds made available by this proviso exceed
14 \$14,400,000.

15 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
16 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
17 GUARANTEE PROGRAM ACCOUNT
18 (INCLUDING TRANSFER OF FUNDS)

19 New commitments to issue guarantees to carry out
20 the purposes of section 306 of the National Housing Act,
21 as amended (12 U.S.C. 1721(g)), shall not exceed
22 \$200,000,000,000, to remain available until September
23 30, 2004.

24 For administrative expenses necessary to carry out
25 the guaranteed mortgage-backed securities program,
26 \$10,343,000, to be derived from the GNMA guarantees

1 of mortgage-backed securities guaranteed loan receipt ac-
 2 count, of which not to exceed \$10,343,000, shall be trans-
 3 ferred to the appropriation for “Salaries and expenses”.

4 POLICY DEVELOPMENT AND RESEARCH

5 RESEARCH AND TECHNOLOGY

6 For contracts, grants, and necessary expenses of pro-
 7 grams of research and studies relating to housing and
 8 urban problems, not otherwise provided for, as authorized
 9 by title V of the Housing and Urban Development Act
 10 of 1970, as amended (12 U.S.C. 1701z–1 et seq.), includ-
 11 ing carrying out the functions of the Secretary under sec-
 12 tion 1(a)(1)(i) of Reorganization Plan No. 2 of 1968,
 13 \$47,000,000, to remain available until September 30,
 14 2004: *Provided*, That of the total amount provided under
 15 this heading, \$8,750,000 shall be for the Partnership for
 16 Advancing Technology in Housing (PATH) Initiative.

17 FAIR HOUSING AND EQUAL OPPORTUNITY

18 FAIR HOUSING ACTIVITIES

19 For contracts, grants, and other assistance, not oth-
 20 erwise provided for, as authorized by title VIII of the Civil
 21 Rights Act of 1968, as amended by the Fair Housing
 22 Amendments Act of 1988, and section 561 of the Housing
 23 and Community Development Act of 1987, as amended,
 24 \$45,899,000, to remain available until September 30,
 25 2004, of which \$20,250,000 shall be to carry out activities

1 pursuant to such section 561: *Provided*, That no funds
2 made available under this heading shall be used to lobby
3 the executive or legislative branches of the Federal Gov-
4 ernment in connection with a specific contract, grant or
5 loan.

6 OFFICE OF LEAD HAZARD CONTROL

7 LEAD HAZARD REDUCTION

8 For the Lead Hazard Reduction Program, as author-
9 ized by section 1011 of the Residential Lead-Based Paint
10 Hazard Reduction Act of 1992, \$201,000,000, to remain
11 available until September 30, 2004, of which \$10,000,000
12 shall be for the Healthy Homes Initiative, pursuant to sec-
13 tions 501 and 502 of the Housing and Urban Develop-
14 ment Act of 1970 that shall include research, studies, test-
15 ing, and demonstration efforts, including education and
16 outreach concerning lead-based paint poisoning and other
17 housing-related diseases and hazards: *Provided*, That of
18 the total amount made available under this heading,
19 \$75,000,000 shall be made available for an urban lead
20 hazard reduction demonstration program in the form of
21 grants to up to 25 major urban areas, as identified by
22 the Secretary as having: (1) the highest number of pre-
23 1940 units of rental housing; (2) significant deterioration
24 of paint; and (3) a disproportionately high number of doc-
25 umented cases of lead-poisoned children: *Provided further*,

1 That of the amounts made available under this paragraph,
2 grants will be allocated equally among major urban areas
3 that meet the eligibility criteria for the abatement of lead-
4 based paint hazards so long as a major urban area makes
5 a contribution equal to 10 percent of the funds that are
6 available to the grantee under this paragraph should all
7 of the 25 eligible grantees receive awards: *Provided fur-*
8 *ther*, That not less than 80 percent of the funds made
9 available under this paragraph shall be used exclusively
10 for abatement and interim control of lead-based hazards
11 as defined by 42 U.S.C. 4851: *Provided further*, That of
12 the total grant, up to 15 percent may be used for demoli-
13 tion and up to 20 percent of the funds may be available
14 for other lead-based paint hazards activities including risk
15 assessments, testing and education: *Provided further*, That
16 each major urban area shall target those privately-owned
17 units and multifamily buildings that serve a majority of
18 low-income families that are defined as low-income fami-
19 lies as provided under section 3(b)(2) of the United States
20 Housing Act of 1937: *Provided further*, That each major
21 urban area shall submit a detailed plan and strategy that
22 demonstrates adequate capacity that is acceptable to the
23 Secretary of Housing and Urban Development on the pro-
24 posed use of these funds pursuant to a Notice of Funding
25 Availability issued by the Secretary no later than Feb-

1 ruary 15, 2003: *Provided further*, That for the purposes
2 of environmental reviews for the urban lead hazard reduc-
3 tion demonstration, section 1011 of Title X of the 1992
4 Housing and Community Development Act shall apply:
5 *Provided further*, That units treated, and the majority of
6 units in multifamily buildings, remain available for low-
7 income residents for at least 3 years following treatment:
8 *Provided further*, That where a major urban area fails to
9 meet the requirements of this demonstration program, the
10 Secretary shall reallocate the funds for that urban area
11 to each of the other eligible major urban areas: *Provided*
12 *further*, That the Secretary shall submit an annual report
13 to the Congress on the effectiveness of this demonstration
14 program concurrently with the submission of the congres-
15 sional justifications for the budget of the Department of
16 Housing and Urban Development: *Provided further*, That
17 should legislation authorizing the urban lead hazard re-
18 duction demonstration program not be enacted by June
19 30, 2003, amounts designated for this initiative shall be-
20 come available for any such purpose authorized under Sec-
21 tion 1011 of the Residential Lead-based Paint Hazard Re-
22 duction Act of 1992.

1 MANAGEMENT AND ADMINISTRATION
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary administrative and non-administrative
5 expenses of the Department of Housing and Urban Devel-
6 opment, not otherwise provided for, including purchase of
7 uniforms, or allowances therefor, as authorized by 5
8 U.S.C. 5901–5902; hire of passenger motor vehicles; serv-
9 ices as authorized by 5 U.S.C. 3109; and not to exceed
10 \$25,000 for official reception and representation expenses,
11 \$1,070,229,000, of which \$548,202,400 shall be provided
12 from the various funds of the Federal Housing Adminis-
13 tration, \$10,343,000 shall be provided from funds of the
14 Government National Mortgage Association, \$1,000,000
15 shall be provided from the “Community development loan
16 guarantees program” account, \$150,000 shall be provided
17 by transfer from the “Native American housing block
18 grants” account, \$200,000 shall be provided by transfer
19 from the “Indian housing loan guarantee fund program”
20 account and \$35,000 shall be transferred from the “Na-
21 tive Hawaiian housing loan guarantee fund” account: *Pro-*
22 *vided*, That no less than \$10,500,000 shall be transferred
23 to the Working Capital Fund for the development of and
24 modifications to information technology systems: *Provided*
25 *further*, That none of the funds made available under this
26 heading shall be used to pay travel expenses for the Dep-

1 uty Secretary of the Department of Housing and Urban
2 Development on days that the Deputy Secretary has been
3 requested to testify before Congress.

4 OFFICE OF INSPECTOR GENERAL

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses of the Office of Inspector
7 General in carrying out the Inspector General Act of 1978,
8 as amended, \$97,684,000, of which \$23,343,000 shall be
9 provided from the various funds of the Federal Housing
10 Administration: *Provided*, That the Inspector General
11 shall have independent authority over all personnel issues
12 within this office: *Provided further*, That no less than
13 \$300,000 shall be transferred to the Working Capital
14 Fund for the development of and modifications to informa-
15 tion technology systems for the Office of Inspector Gen-
16 eral.

17 WORKING CAPITAL FUND

18 For additional capital for Working Capital Fund (42
19 U.S.C. 3535) for the development of, modifications to, and
20 infrastructure for Department-wide Information tech-
21 nology systems, and for the continuing operation of both
22 Department-wide and program-specific information sys-
23 tems, \$276,737,000 to remain available until September
24 30, 2004: *Provided*, That any amounts transferred to this
25 Fund under this Act shall remain available until expended.

1 CONSOLIDATED FEE FUND
2 (RESCISSION)

3 Of the balances remaining available from fees and
4 charges under section 7(j) of the Department of Housing
5 and Urban Development Act on October 1, 2002,
6 \$8,000,000 are rescinded.

7 OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT
8 SALARIES AND EXPENSES
9 (INCLUDING TRANSFER OF FUNDS)

10 For carrying out the Federal Housing Enterprises
11 Financial Safety and Soundness Act of 1992, including
12 not to exceed \$500 for official reception and representa-
13 tion expenses, \$30,000,000, to remain available until ex-
14 pended, to be derived from the Federal Housing Enter-
15 prises Oversight Fund: *Provided*, That not to exceed such
16 amount shall be available from the general fund of the
17 Treasury to the extent necessary to incur obligations and
18 make expenditures pending the receipt of collections to the
19 Fund: *Provided further*, That the general fund amount
20 shall be reduced as collections are received during the fis-
21 cal year so as to result in a final appropriation from the
22 general fund estimated at not more than \$0.

23 ADMINISTRATIVE PROVISIONS

24 SEC. 201. Fifty percent of the amounts of budget au-
25 thority, or in lieu thereof 50 percent of the cash amounts
26 associated with such budget authority, that are recaptured

1 from projects described in section 1012(a) of the Stewart
2 B. McKinney Homeless Assistance Amendments Act of
3 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the
4 case of cash, shall be remitted to the Treasury, and such
5 amounts of budget authority or cash recaptured and not
6 rescinded or remitted to the Treasury shall be used by
7 State housing finance agencies or local governments or
8 local housing agencies with projects approved by the Sec-
9 retary of Housing and Urban Development for which set-
10 tlement occurred after January 1, 1992, in accordance
11 with such section. Notwithstanding the previous sentence,
12 the Secretary may award up to 15 percent of the budget
13 authority or cash recaptured and not rescinded or remitted
14 to the Treasury to provide project owners with incentives
15 to refinance their project at a lower interest rate.

16 SEC. 202. None of the amounts made available under
17 this Act may be used during fiscal year 2003 to investigate
18 or prosecute under the Fair Housing Act any otherwise
19 lawful activity engaged in by one or more persons, includ-
20 ing the filing or maintaining of a non-frivolous legal ac-
21 tion, that is engaged in solely for the purpose of achieving
22 or preventing action by a Government official or entity,
23 or a court of competent jurisdiction.

24 SEC. 203. (a) Notwithstanding section 854(c)(1)(A)
25 of the AIDS Housing Opportunity Act (42 U.S.C.

1 12903(c)(1)(A)), from any amounts made available under
2 this title for fiscal year 2003 that are allocated under such
3 section, the Secretary of Housing and Urban Development
4 shall allocate and make a grant, in the amount determined
5 under subsection (b), for any State that—

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

8 (2) is not otherwise eligible for an allocation for
9 fiscal year 2003 under such clause (ii) because the
10 areas in the State outside of the metropolitan statis-
11 tical areas that qualify under clause (i) in fiscal year
12 2003 do not have the number of cases of acquired
13 immunodeficiency syndrome (AIDS) required under
14 such clause.

15 (b) The amount of the allocation and grant for any
16 State described in subsection (a) shall be an amount based
17 on the cumulative number of AIDS cases in the areas of
18 that State that are outside of metropolitan statistical
19 areas that qualify under clause (i) of such section
20 854(c)(1)(A) in fiscal year 2003, in proportion to AIDS
21 cases among cities and States that qualify under clauses
22 (i) and (ii) of such section and States deemed eligible
23 under subsection (a).

24 SEC. 204. (a) Section 225(a) of the Departments of
25 Veterans Affairs and Housing and Urban Development,

1 and Independent Agencies Appropriations Act, 2000, Pub-
2 lic Law 106–74 (113 Stat. 1076), is amended by striking
3 “year 2000, and the amounts that would otherwise be allo-
4 cated for fiscal year 2001 and fiscal year 2002”, and in-
5 serting “years 2000, 2001, 2002, and 2003”.

6 (b) Notwithstanding any other provision of law, the
7 Secretary of Housing and Urban Development shall allo-
8 cate to Wake County, North Carolina, the amounts that
9 otherwise would be allocated for fiscal year 2003 under
10 section 854(c) of the AIDS Housing Opportunity Act (42
11 U.S.C. 12903(c)) to the City of Raleigh, North Carolina,
12 on behalf of the Raleigh-Durham-Chapel Hill, North Caro-
13 lina Metropolitan Statistical Area. Any amounts allocated
14 to Wake County shall be used to carry out eligible activi-
15 ties under section 855 of such Act (42 U.S.C. 12904)
16 within such metropolitan statistical area.

17 SEC. 205. (a) During fiscal year 2003, in the provi-
18 sion of rental assistance under section 8(o) of the United
19 States Housing Act of 1937 (42 U.S.C. 1437f(o)) in con-
20 nection with a program to demonstrate the economy and
21 effectiveness of providing such assistance for use in as-
22 sisted living facilities that is carried out in the counties
23 of the State of Michigan specified in subsection (b) of this
24 section, notwithstanding paragraphs (3) and (18)(B)(iii)
25 of such section 8(o), a family residing in an assisted living

1 facility in any such county, on behalf of which a public
2 housing agency provides assistance pursuant to section
3 8(o)(18) of such Act, may be required, at the time the
4 family initially receives such assistance, to pay rent in an
5 amount exceeding 40 percent of the monthly adjusted in-
6 come of the family by such a percentage or amount as
7 the Secretary of Housing and Urban Development deter-
8 mines to be appropriate.

9 (b) The counties specified in this subsection are Oak-
10 land County, Macomb County, Wayne County, and
11 Washtenaw County, in the State of Michigan.

12 SEC. 206. Except as explicitly provided in law, any
13 grant or assistance made pursuant to title II of this Act
14 shall be made on a competitive basis in accordance with
15 section 102 of the Department of Housing and Urban De-
16 velopment Reform Act of 1989.

17 SEC. 207. Section 683(2) of the Housing and Com-
18 munity Development Act of 1992 is amended—

19 (1) in subparagraph (F), by striking “and”;

20 (2) in subparagraph (G), by striking “section.”

21 and inserting “section; and”; and

22 (3) by adding the following new subparagraph

23 at the end:

1 “(H) housing that is assisted under section 811
2 of the Cranston-Gonzalez National Affordable Hous-
3 ing Act.”.

4 SEC. 208. Section 9 of the United States Housing
5 Act of 1937 is amended by inserting at the end the fol-
6 lowing new subsection:

7 “(o) LOAN DEVELOPMENT FUNDING.—

8 “(1) In order to facilitate the financing of the
9 rehabilitation and development needs of public hous-
10 ing, public housing agencies may enter into loans or
11 other financial obligations with financial institutions
12 for the purpose of financing the rehabilitation of a
13 portion of public housing or the development off-site
14 of public housing in mixed income developments (in-
15 cluding demolition costs of the public housing units
16 to be replaced), provided that the number of public
17 housing units developed off-site replaces no less than
18 an equal number of on-site public housing units in
19 a project. Loans or other obligations entered into
20 pursuant to this subsection shall be in such form
21 and denominations, have such maturities, and be
22 subject to such conditions as may be prescribed by
23 regulations issued by the Secretary.

24 “(2) The Secretary may prohibit a public hous-
25 ing agency from obtaining a loan under this sub-

1 section only if the rehabilitation or replacement
2 housing proposed by a public housing agency is in-
3 consistent with its Public Housing Agency Plan, as
4 submitted under section 5A, or the proposed terms
5 of the guaranteed loan constitutes an unacceptable
6 financial risk to the public housing agency or for re-
7 payment of the loan under this subsection.

8 “(3) Notwithstanding any other provision of
9 this title, funding allocated to a public housing agen-
10 cy under subsections (d)(2) and (e)(2) of this section
11 for capital and operating funds is authorized for use
12 in the payment of the principal and interest due (in-
13 cluding such servicing, underwriting or other costs
14 as may be specified in the regulations of the sec-
15 retary) on the loans or other obligations entered into
16 pursuant to this subsection.

17 “(4) The amount of any loan or other obliga-
18 tion entered into under this subsection shall not ex-
19 ceed in total the pro-rata amount of funds that
20 would be allocated over a period not to exceed 30
21 years under subsections (d)(2) and (e)(2) of this sec-
22 tion on a per unit basis as a percentage of the num-
23 ber of units that are designated to be rehabilitated
24 or replaced under this subsection by a public hous-
25 ing agency as compared to the total number of units

1 in the public housing development, as determined on
2 the basis of funds made available under such sub-
3 sections (d)(2) and (e)(2) in the previous year. Any
4 reduction in the total amount of funds provided to
5 a public housing agency under this section in subse-
6 quent years shall not reduce the amount of funds to
7 be paid under a loan entered into under this sub-
8 section but instead shall reduce the capital and oper-
9 ating funds which are available for the other housing
10 units in the public housing development in that fis-
11 cal year. Any additional income, including the re-
12 ceipt of rental income from tenants, generated by
13 the rehabilitated or replaced units may be used to
14 establish a loan loss reserve for the public housing
15 agency to assist in the repayment of loans or other
16 obligations entered into under this subsection or to
17 address any shortfall in the operating or capital
18 needs of the public housing agency in any fiscal
19 year.

20 “(5) Subject to appropriations, the Secretary
21 may use funds from the Public Housing Capital
22 Fund to (A) establish a loan loss reserve account
23 within the Department of Housing and Urban De-
24 velopment to minimize the risk of loss associated
25 with the repayment of loans made under this sub-

1 section, or (B) make grants to a public housing
2 agency for capital investment needs or for the cre-
3 ation of a loan loss reserve account to be used in
4 conjunction with a loan made under this subsection
5 for the rehabilitation of a portion of public housing
6 or the development off-site of public housing in
7 mixed income developments (including demolition
8 costs of the public housing units to be replaced).

9 “(6) The Secretary may, to the extent approved
10 in appropriations Acts, assist in the payment of all
11 or a portion of the principal and interest amount
12 due under the loan or other obligation entered into
13 under this subsection, if the Secretary determines
14 that the public housing agency is unable to pay the
15 amount it owes because of circumstances of extreme
16 hardship beyond the control of the public housing
17 agency.

18 “(7) Any loan or other obligation (including any
19 mortgage instrument) entered into under this sub-
20 section shall include use restrictions that ensure the
21 units rehabilitated or developed under this sub-
22 section shall be reserved for occupancy by families
23 eligible for public housing under section 3 of this
24 Act, and such use restrictions shall continue to apply
25 to these units upon any default or foreclosure.

1 “(8) The Secretary is authorized to provide
2 mortgage insurance upon such terms and conditions
3 as may be appropriate to underwrite any loan or
4 other obligation (including any mortgage instru-
5 ment) entered into under this subsection. The Sec-
6 retary shall establish premiums to support the cost
7 of this mortgage insurance which shall be paid by
8 public housing agencies through funds made avail-
9 able under subsections (d)(2) and (e)(2) of this sec-
10 tion. The Secretary shall maintain all units subject
11 to a loan or other obligation insured under this sec-
12 tion as public housing upon any default and fore-
13 closure and shall establish upon such terms and con-
14 ditions as may be appropriate to ensure repayment
15 of any amounts that are owed upon default or fore-
16 closure.”.

17 SEC. 209. Notwithstanding any other provision of
18 law, no funds in this Act or in any other Act in any fiscal
19 year, including all future and prior fiscal years, may be
20 used hereafter by the Secretary of Housing and Urban
21 Development to provide any assistance or other funds for
22 housing units defined in section 9(n) of the United States
23 Housing Act of 1937 (as in effect immediately before the
24 enactment of this Act) as “covered locally developed public
25 housing units”. The States of New York and Massachu-

1 setts shall reimburse any funds already made available
2 under any appropriations Act for these units to the Sec-
3 retary of Housing and Urban Development for reallocation
4 to public housing agencies: *Provided*, That, if either State
5 fails to make such reimbursement within 12 months, the
6 Secretary shall recapture such funds through reductions
7 from the amounts allocated to each State under section
8 106 of the Housing and Community Development Act of
9 1974.

10 SEC. 210. Funds of the Department of Housing and
11 Urban Development subject to the Government Corpora-
12 tion Control Act or section 402 of the Housing Act of
13 1950 shall be available, without regard to the limitations
14 on administrative expenses, for legal services on a contract
15 or fee basis, and for utilizing and making payment for
16 services and facilities of the Federal National Mortgage
17 Association, Government National Mortgage Association,
18 Federal Home Loan Mortgage Corporation, Federal Fi-
19 nancing Bank, Federal Reserve banks or any member
20 thereof, Federal Home Loan banks, and any insured bank
21 within the meaning of the Federal Deposit Insurance Cor-
22 poration Act, as amended (12 U.S.C. 1811–1831).

23 SEC. 211. Unless otherwise provided for in this Act
24 or through a reprogramming of funds, no part of any ap-
25 propriation for the Department of Housing and Urban

1 Development shall be available for any activity in excess
2 of amounts set forth in the budget estimates submitted
3 to Congress.

4 SEC. 212. Corporations and agencies of the Depart-
5 ment of Housing and Urban Development which are sub-
6 ject to the Government Corporation Control Act, as
7 amended, are hereby authorized to make such expendi-
8 tures, within the limits of funds and borrowing authority
9 available to each such corporation or agency and in ac-
10 cordance with law, and to make such contracts and com-
11 mitments without regard to fiscal year limitations as pro-
12 vided by section 104 of such Act as may be necessary in
13 carrying out the programs set forth in the budget for 2003
14 for such corporation or agency except as hereinafter pro-
15 vided: *Provided*, That collections of these corporations and
16 agencies may be used for new loan or mortgage purchase
17 commitments only to the extent expressly provided for in
18 this Act (unless such loans are in support of other forms
19 of assistance provided for in this or prior appropriations
20 Acts), except that this proviso shall not apply to the mort-
21 gage insurance or guaranty operations of these corpora-
22 tions, or where loans or mortgage purchases are necessary
23 to protect the financial interest of the United States Gov-
24 ernment.

1 SEC. 213. (a) Section 9(n)(1) of the United States
2 Housing act of 1937 is hereby repealed.

3 (b) Section 226 of the Departments of Veterans Af-
4 fairs and Housing and Urban development, and Inde-
5 pendent Agencies Appropriations Act, 1999, is hereby re-
6 pealed.

7 (c) The amendment made by subsection (a) shall be
8 deemed to have taken effect on October 1, 1998.

9 (d) The amendment made by subsection (b) shall be
10 deemed to have taken effect on October 21, 1998.

11 SEC. 214. Notwithstanding any other provision of
12 law, in fiscal year 2003, in managing and disposing of any
13 multifamily property that is owned or held by the Sec-
14 retary and is occupied primarily by elderly or disabled
15 families, the Secretary of Housing and Urban Develop-
16 ment shall maintain any rental assistance payments under
17 section 8 of the United States Housing Act of 1937 that
18 are attached to any dwelling units in the property. To the
19 extent the Secretary determines that such a multifamily
20 property owned or held by the Secretary is not feasible
21 for continued rental assistance payments under such sec-
22 tion 8, the Secretary may, in consultation with the tenants
23 of that property, contract for project-based rental assist-
24 ance payments with an owner or owners of other existing
25 housing properties or provide other rental assistance.

1 SEC. 215. (a) Section 8(o) of the United States Hous-
2 ing Act of 1937 (42 U.S.C. 1437f(o)) is amended by add-
3 ing at the end the following:

4 “(22) WELFARE-TO-WORK HOUSING VOUCHER
5 PROGRAM.—

6 “(A) RENEWAL.—Upon renewal, incre-
7 mental vouchers awarded under this paragraph
8 shall continue to be administered under this
9 paragraph

10 “(B) ELIGIBLE GRANTEES.—A public
11 housing agency (including Indian tribes and
12 tribally designated housing entities, as defined
13 by the Secretary) is eligible to receive assistance
14 under this paragraph if the public housing
15 agency demonstrates, to the satisfaction of the
16 Secretary—

17 “(i) that the agency—

18 “(I) is effectively administering a
19 voucher program;

20 “(II) is capable of leasing the al-
21 lotted number of welfare-to-work
22 vouchers in the time allowed by the
23 Secretary; and

24 “(III) has included in the annual
25 plan of the agency a description of a

1 program to provide welfare-to-work
2 vouchers; and

3 “(ii) that the agency—

4 “(I) is carrying out an effective
5 welfare-to-work housing program
6 using Federal, State, or local funds
7 (including vouchers funded under the
8 Departments of Veterans Affairs and
9 Housing and Urban Development, and
10 Independent Agencies Appropriations
11 Act, 1999 (Public Law 105–276), or
12 other vouchers), and has a collabora-
13 tion with the State, local, or tribal en-
14 tities administering the programs
15 under part A of title IV of the Social
16 Security Act (42 U.S.C. 601 et seq.)
17 and under the Workforce Investment
18 Act of 1998 (29 U.S.C. 2811 et seq.)
19 that serve families in the jurisdiction;
20 or

21 “(II) has entered into a memo-
22 randum of understanding with the
23 State, local, or tribal entities that ad-
24 minister the programs under part A
25 of title IV of the Social Security Act

1 (42 U.S.C. 601 et seq.) and under the
2 Workforce Investment Act of 1998
3 (29 U.S.C. 2811 et seq.) that serve
4 families in the jurisdiction, and such
5 memoranda specify how the agencies
6 will collaborate with the public hous-
7 ing agency in identifying eligible fami-
8 lies, determining criteria for selection
9 among eligible families in light of the
10 circumstances in the jurisdiction, and
11 providing payments and services to
12 families (including outreach to owners
13 and case management) so that fami-
14 lies may obtain housing in an area of
15 greater employment opportunity or in
16 proximity to a current place of em-
17 ployment or transportation to employ-
18 ment and overcome other barriers to
19 obtaining or retaining employment.

20 “(C) ADDITIONAL CRITERIA FOR GRANTEE
21 SELECTION.—The Secretary—

22 “(i) may establish criteria in addition
23 to that established in subparagraph (B) for
24 the selection of public housing agencies

1 that are eligible to receive assistance under
2 this paragraph; and

3 “(ii) shall consult with the Secretary
4 of Health and Human Services and the
5 Secretary of Labor in determining addi-
6 tional criteria under this subparagraph.

7 “(D) ELIGIBLE FAMILIES.—Families se-
8 lected to receive assistance under this para-
9 graph shall be—

10 “(i) receiving, or shall have received in
11 the 2 years preceding the date on which
12 the family was selected to receive assist-
13 ance under this paragraph, assistance or
14 other payments (including benefits pro-
15 vided by payments to third parties) or
16 services funded under the Temporary As-
17 sistance for Needy Families (TANF) pro-
18 gram under part A of title IV of the Social
19 Security Act or as part of a qualified State
20 expenditure of a State under section
21 409(a)(7)(B)(i) of such Act; and

22 “(ii) in need of housing voucher as-
23 sistance as determined by the public hous-
24 ing agency, the agency that administers
25 the Temporary Assistance for Needy Fami-

1 lies program, or the Workforce Investment
2 Agency in order to obtain housing in an
3 area of greater employment opportunity or
4 in proximity to a current place of employ-
5 ment or transportation to employment;
6 participate effectively in a program to
7 overcome barriers to employment; or retain
8 employment or increase hours of employ-
9 ment.

10 “(E) PREFERENCE.—The Secretary shall
11 give preference in the award of assistance under
12 this paragraph to public housing agencies with-
13 in a State—

14 “(i) with jurisdiction that minimizes
15 the need to use the procedures established
16 under subsection (r) to allow families to re-
17 side in areas with job opportunities; or

18 “(ii) that demonstrate, to the satisfac-
19 tion of the Secretary, that the procedures
20 under subsection (r) do not pose a barrier
21 to the choice of housing for families.”.

22 SEC. 216. Subparagraph (A) of section 203(b)(10)
23 of the National Housing Act (12 U.S.C. 1709(b)(10)(A))
24 is amended, in the matter that precedes clause (i), by
25 striking “mortgage” and all that follows through “involv-

1 ing” and inserting “mortgage closed on or before Decem-
2 ber 31, 2004, involving”.

3 SEC. 217. A public housing agency or such other enti-
4 ty that administers Federal housing assistance in the
5 states of Alaska, Iowa, and Mississippi shall not be re-
6 quired to include a resident of public housing or a recipi-
7 ent of assistance provided under section 8 of the United
8 States Housing Act of 1937 on the board of directors or
9 a similar governing board of such agency or entity as re-
10 quired under section (2)(b) of such Act. Each public hous-
11 ing agency or other entity that administers Federal hous-
12 ing assistance under section 8 in the states of Alaska,
13 Iowa and Mississippi shall establish an advisory board of
14 not less than 6 residents of public housing or recipients
15 of section 8 assistance to provide advice and comment to
16 the public housing agency or other administering entity
17 on issues related to public housing and section 8. Such
18 advisory board shall meet not less than quarterly.

19 SEC. 218. The Director of the Office of Management
20 and Budget and the Secretary of Housing and Urban De-
21 velopment shall include as part of the fiscal year 2004
22 budget (and for each budget in each succeeding fiscal
23 year) for the Department of Housing and Urban Develop-
24 ment a separate line in each account for the cost of con-
25 tract rental renewals, where applicable. The Budget Jus-

1 tifications for Department of Housing and Urban Devel-
2 opment shall include a five-year run-out of the cost of all
3 contract rental renewals.

4 SEC. 219. (a) Section 24(m)(1) of the United States
5 Housing Act of 1937 (42 U.S.C. 1437v(m)(1)) is amended
6 by striking “\$600,000,000” and all that follows through
7 “2002” and inserting the following: “\$574,000,000 for
8 fiscal year 2003”.

9 (b) Section 24(n) of the United States Housing Act
10 of 1937 (42 U.S.C. 1437v(n)) is amended by striking
11 “September 30, 2002” and inserting “September 30,
12 2003”.

13 SEC. 220. No funds in this Act or any other Act in
14 any fiscal year may hereafter be used by the Secretary
15 of Housing and Urban Development to waive any income
16 eligibility restrictions on housing that has been assisted
17 under Section 8 of the United States Housing Act of 1937
18 unless explicitly authorized by law.

19 TITLE III—INDEPENDENT AGENCIES

20 AMERICAN BATTLE MONUMENTS COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses, not otherwise provided for,
23 of the American Battle Monuments Commission, including
24 the acquisition of land or interest in land in foreign coun-
25 tries; purchases and repair of uniforms for caretakers of

1 national cemeteries and monuments outside of the United
2 States and its territories and possessions; rent of office
3 and garage space in foreign countries; purchase (one for
4 replacement only) and hire of passenger motor vehicles;
5 and insurance of official motor vehicles in foreign coun-
6 tries, when required by law of such countries,
7 \$30,400,000, to remain available until expended.

8 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD
9 SALARIES AND EXPENSES

10 For necessary expenses in carrying out activities pur-
11 suant to section 112(r)(6) of the Clean Air Act, as amend-
12 ed, including hire of passenger vehicles, uniforms or allow-
13 ances therefor, as authorized by 5 U.S.C. 5901–5902, and
14 for services authorized by 5 U.S.C. 3109, but at rates for
15 individuals not to exceed the per diem equivalent to the
16 maximum rate payable for senior level positions under 5
17 U.S.C. 5376, \$7,850,000, of which \$5,350,000 is to re-
18 main available until September 30, 2003 and \$500,000
19 is to remain available until September 30, 2004: *Provided*,
20 That the Chemical Safety and Hazard Investigation Board
21 shall have not more than three career Senior Executive
22 Service positions: *Provided further*, That, hereafter, there
23 shall be an Inspector General at the Board who shall have
24 the duties, responsibilities, and authorities specified in the
25 Inspector General Act of 1978, as amended: *Provided fur-*

1 *ther*, That an individual appointed to the position of In-
 2 spector General of the Federal Emergency Management
 3 Agency (FEMA) shall, by virtue of such appointment, also
 4 hold the position of Inspector General of the Board: *Pro-*
 5 *vided further*, That the Inspector General of the Board
 6 shall utilize personnel of the Office of Inspector General
 7 of FEMA in performing the duties of the Inspector Gen-
 8 eral of the Board, and shall not appoint any individuals
 9 to positions within the Board.

10 DEPARTMENT OF THE TREASURY
 11 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
 12 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
 13 FUND PROGRAM ACCOUNT

14 To carry out the Community Development Banking
 15 and Financial Institutions Act of 1994, including services
 16 authorized by 5 U.S.C. 3109, but at rates for individuals
 17 not to exceed the per diem rate equivalent to the rate for
 18 ES-3, \$73,000,000, to remain available until September
 19 30, 2004, of which \$5,000,000 shall be for technical as-
 20 sistance and training programs designed to benefit Native
 21 American, Native Hawaiian, and Alaskan Native commu-
 22 nities, and up to \$10,750,000 may be used for administra-
 23 tive expenses, including administration of the New Mar-
 24 kets Tax Credit, up to \$6,000,000 may be used for the
 25 cost of direct loans, and up to \$250,000 may be used for

1 administrative expenses to carry out the direct loan pro-
2 gram: *Provided*, That the cost of direct loans, including
3 the cost of modifying such loans, shall be as defined in
4 section 502 of the Congressional Budget Act of 1974, as
5 amended: *Provided further*, That these funds are available
6 to subsidize gross obligations for the principal amount of
7 direct loans not to exceed \$11,000,000.

8 INTERAGENCY COUNCIL ON THE HOMELESS

9 OPERATING EXPENSES

10 For necessary expenses (including payment of sala-
11 ries, authorized travel, hire of passenger motor vehicles,
12 the rental of conference rooms in the District of Columbia,
13 and the employment of experts and consultants under sec-
14 tion 3109 of title 5, United States Code) of the Inter-
15 agency Council on the Homeless in carrying out the func-
16 tions pursuant to title II of the McKinney-Vento Homeless
17 Assistance Act, as amended, \$1,500,000.

18 CONSUMER PRODUCT SAFETY COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses of the Consumer Product
21 Safety Commission, including hire of passenger motor ve-
22 hicles, services as authorized by 5 U.S.C. 3109, but at
23 rates for individuals not to exceed the per diem rate equiv-
24 alent to the maximum rate payable under 5 U.S.C. 5376,
25 purchase of nominal awards to recognize non-Federal offi-

1 cials' contributions to Commission activities, and not to
2 exceed \$500 for official reception and representation ex-
3 penses, \$56,767,000.

4 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
5 NATIONAL AND COMMUNITY SERVICE PROGRAMS

6 OPERATING EXPENSES

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses for the Corporation for Na-
9 tional and Community Service (the "Corporation") in car-
10 rying out programs, activities, and initiatives under the
11 National and Community Service Act of 1990 (the "Act")
12 (42 U.S.C. 12501 et seq.), \$515,342,000, to remain avail-
13 able until September 30, 2004: *Provided*, That not more
14 than \$33,000,000 shall be available for administrative ex-
15 penses authorized under section 501(a)(4): *Provided fur-*
16 *ther*, That not more than \$2,500 shall be for official recep-
17 tion and representation expenses: *Provided further*, That
18 not more than \$37,000,000, to remain available until ex-
19 pended, shall be transferred to the National Service Trust
20 of which up to \$5,000,000 shall be available for national
21 service scholarships for high school students performing
22 community service: *Provided further*, That not more than
23 \$290,342,000 of the amount provided under this heading
24 shall be available for grants under the National Service
25 Trust program authorized under subtitle C of title I of
26 the Act (42 U.S.C. 12571 et seq.) (relating to activities

1 including the AmeriCorps program): *Provided further,*
2 That to the maximum extent feasible, funds appropriated
3 under subtitle C of title I of the Act shall be provided
4 in a manner that is consistent with the recommendations
5 of peer review panels in order to ensure that priority is
6 given to programs that demonstrate quality, innovation,
7 replicability, and sustainability: *Provided further,* That not
8 more than \$10,000,000 of the funds made available under
9 this heading shall be made available for the Points of
10 Light Foundation for activities authorized under title III
11 of the Act (42 U.S.C. 12661 et seq.), of which not more
12 than \$2,500,000 may be used to support an endowment
13 fund, the corpus of which shall remain intact and the in-
14 terest income from which shall be used to support activi-
15 ties described in title III of the Act, provided that the
16 Foundation may invest the corpus and income in federally
17 insured bank savings accounts or comparable interest
18 bearing accounts, certificates of deposit, money market
19 funds, mutual funds, obligations of the United States, and
20 other market instruments and securities but not in real
21 estate investments: *Provided further,* That no funds shall
22 be available for national service programs run by Federal
23 agencies authorized under section 121(b) of such Act (42
24 U.S.C. 12571(b)): *Provided further,* That to the maximum
25 extent practicable, the Corporation shall increase signifi-

1 cantly the level of matching funds and in-kind contribu-
2 tions provided by the private sector, and shall reduce the
3 total Federal costs per participant in all programs: *Pro-*
4 *vided further*, That not more than \$25,000,000 of the
5 funds made available under this heading shall be available
6 for the Civilian Community Corps authorized under sub-
7 title E of title I of the Act (42 U.S.C. 12611 et seq.):
8 *Provided further*, That not more than \$47,000,000 shall
9 be available for school-based and community-based serv-
10 ices-learning programs authorized under subtitle B of title
11 I of the Act (42 U.S.C. 12521 et seq.): *Provided further*,
12 That not more than \$68,000,000 shall be available for
13 quality and innovation activities authorized under subtitle
14 H of title I of the Act (42 U.S.C. 12853 et seq.), of which
15 \$33,000,000 shall be available for challenge grants to non-
16 profit organizations: *Provided further*, That not more than
17 \$5,000,000 shall be available for audits and other evalua-
18 tions authorized under section 179 of the Act (42 U.S.C.
19 12639).

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector
22 General in carrying out the Inspector General Act of 1978,
23 as amended, \$6,000,000, to remain available until Sep-
24 tember 30, 2004.

1 ADMINISTRATIVE PROVISIONS

2 Notwithstanding any other provision of law, the term
3 “qualified student loan” with respect to national service
4 education awards shall mean any loan determined by an
5 institution of higher education to be necessary to cover
6 a student’s cost of attendance at such institution and
7 made, insured, or guaranteed directly to a student by a
8 State agency, in addition to other meanings under section
9 148(b)(7) of the National and Community Service Act.

10 Notwithstanding any other provision of law, funds
11 made available under section 129(d)(5)(B) of the National
12 and Community Service Act to assist entities in placing
13 applicants who are individuals with disabilities may be
14 provided to any entity that receives a grant under section
15 121 of the Act.

16 U.S. COURT OF APPEALS FOR VETERANS CLAIMS

17 SALARIES AND EXPENSES

18 For necessary expenses for the operation of the
19 United States Court of Appeals for Veterans Claims as
20 authorized by 38 U.S.C. 7251–7298, \$14,612,000 of
21 which \$1,045,000 shall be available for the purpose of pro-
22 viding financial assistance as described, and in accordance
23 with the process and reporting procedures set forth, under
24 this heading in Public Law 102–229.

1 DEPARTMENT OF DEFENSE—CIVIL
2 CEMETERIAL EXPENSES, ARMY
3 SALARIES AND EXPENSES

4 For necessary expenses, as authorized by law, for
5 maintenance, operation, and improvement of Arlington
6 National Cemetery and Soldiers' and Airmen's Home Na-
7 tional Cemetery, including the purchase of two passenger
8 motor vehicles for replacement only, and not to exceed
9 \$1,000 for official reception and representation expenses,
10 \$24,445,000, to remain available until expended.

11 DEPARTMENT OF HEALTH AND HUMAN SERVICES
12 NATIONAL INSTITUTES OF HEALTH
13 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
14 SCIENCES

15 For necessary expenses for the National Institute of
16 Environmental Health Sciences in carrying out activities
17 set forth in section 311(a) of the Comprehensive Environ-
18 mental Response, Compensation, and Liability Act of
19 1980, as amended, and section 126(g) of the Superfund
20 Amendments and Reauthorization Act of 1986,
21 \$76,074,000.

1 CERCLA: *Provided further*, That none of the funds appro-
2 priated under this heading shall be available for ATSDR
3 to issue in excess of 40 toxicological profiles pursuant to
4 section 104(i) of CERCLA during fiscal year 2003, and
5 existing profiles may be updated as necessary.

6 ENVIRONMENTAL PROTECTION AGENCY

7 SCIENCE AND TECHNOLOGY

8 For science and technology, including research and
9 development activities, which shall include research and
10 development activities under the Comprehensive Environ-
11 mental Response, Compensation, and Liability Act of
12 1980, as amended; necessary expenses for personnel and
13 related costs and travel expenses, including uniforms, or
14 allowances therefor, as authorized by 5 U.S.C. 5901–
15 5902; services as authorized by 5 U.S.C. 3109, but at
16 rates for individuals not to exceed the per diem rate equiv-
17 alent to the maximum rate payable for senior level posi-
18 tions under 5 U.S.C. 5376; procurement of laboratory
19 equipment and supplies; other operating expenses in sup-
20 port of research and development; construction, alteration,
21 repair, rehabilitation, and renovation of facilities, not to
22 exceed \$75,000 per project, \$710,008,000, which shall re-
23 main available until September 30, 2004.

24 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

25 For environmental programs and management, in-
26 cluding necessary expenses, not otherwise provided for, for

1 personnel and related costs and travel expenses, including
2 uniforms, or allowances therefor, as authorized by 5
3 U.S.C. 5901–5902; services as authorized by 5 U.S.C.
4 3109, but at rates for individuals not to exceed the per
5 diem rate equivalent to the maximum rate payable for sen-
6 ior level positions under 5 U.S.C. 5376; hire of passenger
7 motor vehicles; hire, maintenance, and operation of air-
8 craft; purchase of reprints; library memberships in soci-
9 eties or associations which issue publications to members
10 only or at a price to members lower than to subscribers
11 who are not members; construction, alteration, repair, re-
12 habilitation, and renovation of facilities, not to exceed
13 \$75,000 per project; and not to exceed \$19,000 for official
14 reception and representation expenses, \$2,140,469,000,
15 which shall remain available until September 30, 2004, in-
16 cluding administrative costs of the brownfields program
17 under the Small Business Liability Relief and Brownfields
18 Revitalization Act of 2002.

19 OFFICE OF INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector
21 General in carrying out the provisions of the Inspector
22 General Act of 1978, as amended, and for construction,
23 alteration, repair, rehabilitation, and renovation of facili-
24 ties, not to exceed \$75,000 per project, \$35,325,000, to
25 remain available until September 30, 2004.

1 BUILDINGS AND FACILITIES

2 For construction, repair, improvement, extension, al-
3 teration, and purchase of fixed equipment or facilities of,
4 or for use by, the Environmental Protection Agency,
5 \$42,918,000, to remain available until expended.

6 HAZARDOUS SUBSTANCE SUPERFUND

7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses to carry out the Comprehen-
9 sive Environmental Response, Compensation, and Liabil-
10 ity Act of 1980 (CERCLA), as amended, including sec-
11 tions 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C.
12 9611), and for construction, alteration, repair, rehabilita-
13 tion, and renovation of facilities, not to exceed \$75,000
14 per project; \$1,272,888,000, to remain available until ex-
15 pended, consisting of \$636,444,000, as authorized by sec-
16 tion 517(a) of the Superfund Amendments and Reauthor-
17 ization Act of 1986 (SARA), as amended by Public Law
18 101-508, and \$636,444,000 as a payment from general
19 revenues to the Hazardous Substance Superfund for pur-
20 poses as authorized by section 517(b) of SARA, as amend-
21 ed: *Provided*, That funds appropriated under this heading
22 may be allocated to other Federal agencies in accordance
23 with section 111(a) of CERCLA: *Provided further*, That
24 of the funds appropriated under this heading,
25 \$12,742,000 shall be transferred to the “Office of Inspec-

1 tor General” appropriation to remain available until Sep-
2 tember 30, 2004, and \$86,168,000 shall be transferred
3 to the “Science and technology” appropriation to remain
4 available until September 30, 2004.

5 LEAKING UNDERGROUND STORAGE TANK TRUST FUND

6 For necessary expenses to carry out leaking under-
7 ground storage tank cleanup activities authorized by sec-
8 tion 205 of the Superfund Amendments and Reauthoriza-
9 tion Act of 1986, and for construction, alteration, repair,
10 rehabilitation, and renovation of facilities, not to exceed
11 \$75,000 per project, \$72,313,000, to remain available
12 until expended.

13 OIL SPILL RESPONSE

14 For expenses necessary to carry out the Environ-
15 mental Protection Agency’s responsibilities under the Oil
16 Pollution Act of 1990, \$15,581,000, to be derived from
17 the Oil Spill Liability trust fund, to remain available until
18 expended.

19 STATE AND TRIBAL ASSISTANCE GRANTS

20 For environmental programs and infrastructure as-
21 sistance, including capitalization grants for State revolv-
22 ing funds and performance partnership grants,
23 \$4,009,639,000, to remain available until expended, of
24 which \$1,450,000,000 shall be for making capitalization
25 grants for the Clean Water State Revolving Funds under
26 title VI of the Federal Water Pollution Control Act, as

1 amended (the “Act”); \$875,000,000 shall be for capital-
2 ization grants for the Drinking Water State Revolving
3 Funds under section 1452 of the Safe Drinking Water
4 Act, as amended, except that, notwithstanding section
5 1452(n) of the Safe Drinking Water Act, as amended,
6 none of the funds made available under this heading in
7 this Act, or in previous appropriations Acts, shall be re-
8 served by the Administrator for health effects studies on
9 drinking water contaminants; \$75,000,000 shall be for ar-
10 chitectural, engineering, planning, design, construction
11 and related activities in connection with the construction
12 of high priority water and wastewater facilities in the area
13 of the United States-Mexico Border, after consultation
14 with the appropriate border commission; \$45,000,000
15 shall be for grants to the State of Alaska to address drink-
16 ing water and wastewater infrastructure needs of rural
17 and Alaska Native Villages; \$3,000,000 shall be for reme-
18 diation of above ground leaking fuel tanks pursuant to
19 Public Law 106–554; \$140,000,000, in addition to
20 \$2,241,450 previously appropriated under this heading in
21 Public Law 106–74, shall be for making grants for the
22 construction of wastewater and water treatment facilities
23 and groundwater protection infrastructure in accordance
24 with the terms and conditions specified for such grants
25 in the report accompanying this Act; \$120,500,000 shall

1 be to carry out section 104(k) of the Comprehensive Envi-
2 ronmental Response, Compensation, and Liability Act of
3 1980 (CERCLA), as amended, including grants, inter-
4 agency agreements, and associated program support costs;
5 and \$1,133,835,000 shall be for grants, including associ-
6 ated program support costs, to States, federally recognized
7 tribes, interstate agencies, tribal consortia, and air pollu-
8 tion control agencies for multi-media or single media pol-
9 lution prevention, control and abatement and related ac-
10 tivities, including activities pursuant to the provisions set
11 forth under this heading in Public Law 104–134, and for
12 making grants under section 103 of the Clean Air Act for
13 particulate matter monitoring and data collection activi-
14 ties subject to terms and conditions specified by the Ad-
15 ministrator, of which \$50,000,000 shall be for carrying
16 out section 128 of CERCLA, as amended: *Provided*, That
17 for fiscal year 2003, State authority under section 302(a)
18 of Public Law 104–182 shall remain in effect: *Provided*
19 *further*, That for fiscal year 2003, and notwithstanding
20 section 518(f) of the Act, the Administrator is authorized
21 to use the amounts appropriated for any fiscal year under
22 section 319 of that Act to make grants to Indian tribes
23 pursuant to sections 319(h) and 518(e) of that Act: *Pro-*
24 *vided further*, That for fiscal year 2003, notwithstanding
25 the limitation on amounts in section 518(c) of the Act,

1 grams required or authorized by law in the absence of an
2 acceptable tribal program, may award cooperative agree-
3 ments to federally-recognized Indian Tribes or Intertribal
4 consortia, if authorized by their member Tribes, to assist
5 the Administrator in implementing Federal environmental
6 programs for Indian Tribes required or authorized by law,
7 except that no such cooperative agreements may be award-
8 ed from funds designated for State financial assistance
9 agreements.

10 None of the funds appropriated or otherwise made
11 available by this Act may be used to promulgate a final
12 regulation to implement changes in the payment of pes-
13 ticide tolerance processing fees as published on June 9,
14 1999, in the Federal Register (64 Fed. Reg. pages 31040
15 through 31050). The Environmental Protection Agency
16 shall promulgate a final regulation to implement changes
17 in the payment of pesticide tolerance processing fees no
18 later than September 30, 2003. Any final regulation pro-
19 mulgated to implement changes in the payment of pes-
20 ticide tolerance processing fees shall not require the pay-
21 ment of retroactive fees.

22 The Environmental Protection Agency may not use
23 any of the funds appropriated or otherwise made available
24 by this Act to implement the Registration Fee system
25 codified at 40 Code of Federal Regulations Subpart U

1 (sections 152.400 et seq.) if its authority to collect mainte-
2 nance fees pursuant to FIFRA section 4(i)(5) is extended
3 for at least 1 year beyond September 30, 2002.

4 Section 136a–1 of title 7, U.S.C. is amended—

5 (1) in subsection (i)(5)(C)(i) by striking
6 “\$17,000,000 fiscal year 2002” and inserting
7 “\$23,200,000 for fiscal year 2003”;

8 (2) in subsection (i)(5)(H) by striking “2002”
9 and inserting “2003”;

10 (3) in subsection (i)(6) by striking “2002” and
11 inserting “2003”; and

12 (4) in subsection (k)(3)(A) by striking “2002”
13 and inserting “2003”.

14 EXECUTIVE OFFICE OF THE PRESIDENT

15 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

16 For necessary expenses of the Office of Science and
17 Technology Policy, in carrying out the purposes of the Na-
18 tional Science and Technology Policy, Organization, and
19 Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire
20 of passenger motor vehicles, and services as authorized by
21 5 U.S.C. 3109, not to exceed \$2,500 for official reception
22 and representation expenses, and rental of conference
23 rooms in the District of Columbia, \$5,368,000.

1 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF
2 ENVIRONMENTAL QUALITY

3 For necessary expenses to continue functions as-
4 signed to the Council on Environmental Quality and Office
5 of Environmental Quality pursuant to the National Envi-
6 ronmental Policy Act of 1969, the Environmental Quality
7 Improvement Act of 1970, and Reorganization Plan No.
8 1 of 1977, and not to exceed \$750 for official reception
9 and representation expenses, \$3,031,000: *Provided*, That,
10 notwithstanding any other provision of law, no funds other
11 than those appropriated under this heading shall be used
12 for or by the Council on Environmental Quality and Office
13 of Environmental Quality: *Provided further*, That notwith-
14 standing section 202 of the National Environmental Policy
15 Act of 1970, the Council shall consist of one member, ap-
16 pointed by the President, by and with the advice and con-
17 sent of the Senate, serving as chairman and exercising all
18 powers, functions, and duties of the Council.

19 FEDERAL DEPOSIT INSURANCE CORPORATION
20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector
22 General in carrying out the provisions of the Inspector
23 General Act of 1978, as amended, \$30,848,000, to be de-
24 rived from the Bank Insurance Fund, the Savings Asso-
25 ciation Insurance Fund, and the FSLIC Resolution Fund.

1 FEDERAL EMERGENCY MANAGEMENT AGENCY
2 DISASTER RELIEF
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses in carrying out the Robert
5 T. Stafford Disaster Relief and Emergency Assistance Act
6 (42 U.S.C. 5121 et seq.), \$342,843,000, and, notwith-
7 standing 42 U.S.C. 5203, to remain available until ex-
8 pended, of which not to exceed \$2,900,000 may be trans-
9 ferred to “Emergency management planning and assist-
10 ance” for the consolidated emergency management per-
11 formance grant program; and not to exceed \$21,577,000
12 may be transferred to the Office of Inspector General for
13 audits and investigations.

14 In addition, for the purposes under this heading,
15 \$1,500,000,000, to remain available until expended: *Pro-*
16 *vided*, That such amount is designated by the Congress
17 as an emergency requirement pursuant to section
18 251(b)(2)(A) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985, as amended: *Provided further*,
20 That such amount shall be available only to the extent
21 that an official budget request, that includes designation
22 of the entire amount of the request as an emergency re-
23 quirement as defined in the Balanced Budget and Emer-
24 gency Deficit Control Act of 1985, as amended, is trans-
25 mitted by the President to the Congress.

1 NATIONAL PRE-DISASTER MITIGATION FUND

2 For a pre-disaster mitigation grant program pursu-
3 ant to 42 U.S.C. 5131 et seq., \$25,000,000, to remain
4 available until expended: *Provided*, That grants shall be
5 awarded on a competitive basis subject to the criteria in
6 42 U.S.C. 5133(g): *Provided further*, That notwith-
7 standing 42 U.S.C. 5133(f), grant awards shall be made
8 without reference to State allocations, quotas, or other for-
9 mula-based allocations of funds.

10 DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

11 For the cost of direct loans, \$557,000 as authorized
12 by section 319 of the Robert T. Stafford Disaster Relief
13 and Emergency Assistance Act: *Provided*, That such costs,
14 including the cost of modifying such loans, shall be as de-
15 fined in section 502 of the Congressional Budget Act of
16 1974, as amended: *Provided further*, That these funds are
17 available to subsidize gross obligations for the principal
18 amount of direct loans not to exceed \$25,000,000.

19 In addition, for administrative expenses to carry out
20 the direct loan program, \$557,000.

21 SALARIES AND EXPENSES

22 For necessary expenses, not otherwise provided for,
23 including hire and purchase of motor vehicles as author-
24 ized by 31 U.S.C. 1343; uniforms, or allowances therefor,
25 as authorized by 5 U.S.C. 5901–5902; services as author-
26 ized by 5 U.S.C. 3109, but at rates for individuals not

1 to exceed the per diem rate equivalent to the maximum
2 rate payable for senior level positions under 5 U.S.C.
3 5376; expenses of attendance of cooperating officials and
4 individuals at meetings concerned with the work of emer-
5 gency preparedness; transportation in connection with the
6 continuity of Government programs to the same extent
7 and in the same manner as permitted the Secretary of
8 a Military Department under 10 U.S.C. 2632; and not to
9 exceed \$2,500 for official reception and representation ex-
10 penses, \$239,690,000.

11 OFFICE OF INSPECTOR GENERAL

12 For necessary expenses of the Office of Inspector
13 General in carrying out the Inspector General Act of 1978,
14 as amended, \$17,754,000: *Provided*, That notwith-
15 standing any other provision of law, the Inspector General
16 of the Federal Emergency Management Agency shall here-
17 after also serve as the Inspector General of the Chemical
18 Safety and Hazard Investigation Board.

19 EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE
20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses, not otherwise provided for,
22 to carry out activities under the National Flood Insurance
23 Act of 1968, as amended, and the Flood Disaster Protec-
24 tion Act of 1973, as amended (42 U.S.C. 4001 et seq.),
25 the Robert T. Stafford Disaster Relief and Emergency As-
26 sistance Act (42 U.S.C. 5121 et seq.), the Earthquake

1 Hazards Reduction Act of 1977, as amended (42 U.S.C.
2 7701 et seq.), the Federal Fire Prevention and Control
3 Act of 1974, as amended (15 U.S.C. 2201 et seq.), the
4 Defense Production Act of 1950, as amended (50 U.S.C.
5 App. 2061 et seq.), sections 107 and 303 of the National
6 Security Act of 1947, as amended (50 U.S.C. 404–405),
7 and Reorganization Plan No. 3 of 1978, \$1,747,214,000:
8 *Provided*, That \$900,000,000 shall be for programs as au-
9 thorized by section 33 of the Federal Fire Prevention and
10 Control Act of 1974, as amended (15 U.S.C. 2201 et seq.):
11 *Provided further*, That up to 5 percent of this amount shall
12 be transferred to “Salaries and expenses” for program ad-
13 ministration: *Provided further*, That of the amount pro-
14 vided under this heading: \$180,000,000 shall be for grants
15 for interoperable communications equipment;
16 \$180,000,000 shall be for grants for emergency operations
17 centers; \$75,000,000 shall be for Urban Search and Res-
18 cue Teams; \$75,000,000 shall be for grants for state and
19 local emergency planning; \$15,000,000 shall be for Com-
20 munity Emergency Response Teams; \$60,000,000 shall be
21 for emergency responder training programs; \$15,000,000
22 shall be for mutual aid agreements; and \$1,100,000,000
23 for security clearances for State and local emergency man-
24 agement personnel.

1 RADIOLOGICAL EMERGENCY PREPAREDNESS FUND

2 The aggregate charges assessed during fiscal year
3 2003, as authorized by Public Law 106–377, shall not be
4 less than 100 percent of the amounts anticipated by
5 FEMA necessary for its radiological emergency prepared-
6 ness program for the next fiscal year. The methodology
7 for assessment and collection of fees shall be fair and equi-
8 table; and shall reflect costs of providing such services,
9 including administrative costs of collecting such fees. Fees
10 received pursuant to this section shall be deposited in the
11 Fund as offsetting collections and will become available
12 for authorized purposes on October 1, 2003, and remain
13 available until expended.

14 EMERGENCY FOOD AND SHELTER PROGRAM

15 To carry out an emergency food and shelter program
16 pursuant to title III of Public Law 100–77, as amended,
17 \$153,000,000, to remain available until expended: *Pro-*
18 *vided*, That total administrative costs shall not exceed 3½
19 percent of the total appropriation.

20 FLOOD MAP MODERNIZATION FUND

21 For necessary expenses pursuant to section 1360 of
22 the National Flood Insurance Act of 1968, \$300,000,000,
23 and such additional sums as may be provided by State
24 and local governments or other political subdivisions for
25 cost-shared mapping activities under section 1360(f)(2),
26 to remain available until expended.

1 NATIONAL FLOOD INSURANCE FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For activities under the National Flood Insurance
4 Act of 1968 (“Act”) and the Flood Disaster Protection
5 Act of 1973, as amended, not to exceed \$32,393,000 for
6 salaries and expenses associated with flood mitigation and
7 flood insurance operations, and not to exceed \$77,666,000
8 for flood mitigation, to remain available until September
9 30, 2004, including up to \$20,000,000 for expenses under
10 section 1366 of the Act, which amount shall be available
11 for transfer to the National Flood Mitigation Fund until
12 September 30, 2004, and which amounts shall be derived
13 from offsetting collections assessed and collected pursuant
14 to 42 U.S.C. 4014, and shall be retained and used for
15 necessary expenses under this heading: *Provided*, That be-
16 ginning in fiscal year 2003 and thereafter, fees authorized
17 in 42 U.S.C. 4014(a)(1)(B)(iii) shall be collected only if
18 provided in advance in appropriations acts. In fiscal year
19 2003, no funds in excess of: (1) \$55,000,000 for operating
20 expenses; (2) \$529,380,000 for agents’ commissions and
21 taxes; and (3) \$40,000,000 for interest on Treasury bor-
22 rowings shall be available from the National Flood Insur-
23 ance Fund without prior notice to the Committees on Ap-
24 propriations.

1 Section 1309(a)(2) of the Act (42 U.S.C.
2 4016(a)(2)), as amended, is further amended by striking
3 “2002” and inserting “2007”.

4 Section 1319 of the Act, as amended (42 U.S.C.
5 4026), is amended by striking “December 31, 2002” and
6 inserting “December 31, 2007”.

7 Section 1336(a) of the Act, as amended (42 U.S.C.
8 4056), is amended by striking “December 31, 2002” and
9 inserting “December 31, 2007”.

10 Section 1376(e) of the Act, as amended (42 U.S.C.
11 4127(c)), is amended by striking “December 31, 2002”
12 and inserting “December 31, 2007”.

13 NATIONAL FLOOD MITIGATION FUND

14 (INCLUDING TRANSFER OF FUNDS)

15 Notwithstanding sections 1366(b)(3)(B)–(C) and
16 1366(f) of the National Flood Insurance Act of 1968, as
17 amended, \$20,000,000, to remain available until Sep-
18 tember 30, 2004, for activities designed to reduce the risk
19 of flood damage to structures pursuant to such Act, of
20 which \$20,000,000 shall be derived from the National
21 Flood Insurance Fund.

22 GENERAL SERVICES ADMINISTRATION

23 FEDERAL CONSUMER INFORMATION CENTER FUND

24 For necessary expenses of the Federal Consumer In-
25 formation Center, including services authorized by 5
26 U.S.C. 3109, \$15,000,000, to be deposited into the Fed-

1 eral Consumer Information Center Fund: *Provided*, That
2 the appropriations, revenues, and collections deposited
3 into the Fund shall be available for necessary expenses
4 of Federal Consumer Information Center activities in the
5 aggregate amount of \$18,000,000. Appropriations, reve-
6 nues, and collections accruing to this Fund during fiscal
7 year 2003 in excess of \$18,000,000 shall remain in the
8 Fund and shall not be available for expenditure except as
9 authorized in appropriations Acts.

10 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

11 HUMAN SPACE FLIGHT

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses, not otherwise provided for,
14 in the conduct and support of human space flight research
15 and development activities, including research, develop-
16 ment, operations, support and services; maintenance; con-
17 struction of facilities including repair, rehabilitation, revi-
18 talization and modification of facilities, construction of
19 new facilities and additions to existing facilities, facility
20 planning and design, environmental compliance and res-
21 toration, and acquisition or condemnation of real property,
22 as authorized by law; space flight, spacecraft control and
23 communications activities including operations, produc-
24 tion, and services; program management; personnel and
25 related costs, including uniforms or allowances therefor,
26 as authorized by 5 U.S.C. 5901–5902; travel expenses;

1 purchase and hire of passenger motor vehicles; not to ex-
2 ceed \$35,000 for official reception and representation ex-
3 penses; and purchase, lease, charter, maintenance and op-
4 eration of mission and administrative aircraft,
5 \$6,130,900,000, to remain available until September 30,
6 2004, of which amounts as determined by the Adminis-
7 trator for salaries and benefits; training, travel and
8 awards; facility and related costs; information technology
9 services; science, engineering, fabricating and testing serv-
10 ices; and other administrative services may be transferred
11 to “Science, aeronautics and technology” in accordance
12 with section 312(b) of the National Aeronautics and Space
13 Act of 1958, as amended by Public Law 106–377.

14 SCIENCE, AERONAUTICS AND TECHNOLOGY

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses, not otherwise provided for,
17 in the conduct and support of science, aeronautics and
18 technology research and development activities, including
19 research, development, operations, support and services;
20 maintenance; construction of facilities including repair, re-
21 habilitation, revitalization, and modification of facilities,
22 construction of new facilities and additions to existing fa-
23 cilities, facility planning and design, environmental com-
24 pliance and restoration, and acquisition or condemnation
25 of real property, as authorized by law; space flight, space-
26 craft control and communications activities including oper-

1 ations, production, and services; program management;
2 personnel and related costs, including uniforms or allow-
3 ances therefor, as authorized by 5 U.S.C. 5901–5902;
4 travel expenses; purchase and hire of passenger motor ve-
5 hicles; not to exceed \$35,000 for official reception and rep-
6 resentation expenses; and purchase, lease, charter, mainte-
7 nance and operation of mission and administrative air-
8 craft, \$9,044,500,000 to remain available until September
9 30, 2004, of which amounts as determined by the Admin-
10 istrator for salaries and benefits; training, travel and
11 awards; facility and related costs; information technology
12 services; science, engineering, fabricating and testing serv-
13 ices; and other administrative services may be transferred
14 to “Human space flight” in accordance with section
15 312(b) of the National Aeronautics and Space Act of
16 1958, as amended by Public Law 106–377.

17 OFFICE OF INSPECTOR GENERAL

18 For necessary expenses of the Office of Inspector
19 General in carrying out the Inspector General Act of 1978,
20 as amended, \$24,600,000.

21 ADMINISTRATIVE PROVISIONS

22 Notwithstanding the limitation on the availability of
23 funds appropriated for “Human space flight”, or
24 “Science, aeronautics and technology” by this appropria-
25 tions Act, when any activity has been initiated by the in-
26 currence of obligations for construction of facilities as au-

1 thORIZED by law, such amount available for such activity
2 shall remain available until expended. This provision does
3 not apply to the amounts appropriated for institutional
4 minor revitalization and construction of facilities, and in-
5 stitutional facility planning and design.

6 Notwithstanding the limitation on the availability of
7 funds appropriated for “Human space flight”, or
8 “Science, aeronautics and technology” by this appropria-
9 tions Act, the amounts appropriated for construction of
10 facilities shall remain available until September 30, 2005.

11 Notwithstanding the limitation on the availability of
12 funds appropriated for “Office of Inspector General”,
13 amounts made available by this Act for personnel and re-
14 lated costs and travel expenses of the National Aero-
15 nautics and Space Administration shall remain available
16 until September 30, 2003 and may be used to enter into
17 contracts for training, investigations, costs associated with
18 personnel relocation, and for other services, to be provided
19 during the next fiscal year. Funds for announced prizes
20 otherwise authorized shall remain available, without fiscal
21 year limitation, until the prize is claimed or the offer is
22 withdrawn.

1 NATIONAL CREDIT UNION ADMINISTRATION

2 CENTRAL LIQUIDITY FACILITY

3 During fiscal year 2003, gross obligations of the Cen-
4 tral Liquidity Facility for the principal amount of new di-
5 rect loans to member credit unions, as authorized by 12
6 U.S.C. 1795 et seq., shall not exceed \$1,500,000,000: *Pro-*
7 *vided*, That administrative expenses of the Central Liquid-
8 ity Facility in fiscal year 2003 shall not exceed \$309,000.

9 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

10 For the Community Development Revolving Loan
11 Fund program as authorized by 42 U.S.C. 9812, 9822
12 and 9910, \$1,000,000 shall be available: *Provided*, That
13 \$700,000, together with amounts of principal and interest
14 on loans repaid, is available until expended for loans to
15 community development credit unions and \$300,000 is
16 available until September 30, 2004 for technical assistance
17 to low-income and community development credit unions.

18 NATIONAL SCIENCE FOUNDATION

19 RESEARCH AND RELATED ACTIVITIES

20 For necessary expenses in carrying out the National
21 Science Foundation Act of 1950, as amended (42 U.S.C.
22 1861–1875), and the Act to establish a National Medal
23 of Science (42 U.S.C. 1880–1881); services as authorized
24 by 5 U.S.C. 3109; maintenance and operation of aircraft
25 and purchase of flight services for research support; acqui-
26 sition of aircraft; and authorized travel; \$4,131,630,000,

1 of which not to exceed \$320,000,000 shall remain avail-
2 able until expended for Polar research and operations sup-
3 port, and for reimbursement to other Federal agencies for
4 operational and science support and logistical and other
5 related activities for the United States Antarctic program;
6 the balance to remain available until September 30, 2004:
7 *Provided*, That receipts for scientific support services and
8 materials furnished by the National Research Centers and
9 other National Science Foundation supported research fa-
10 cilities may be credited to this appropriation: *Provided fur-*
11 *ther*, That to the extent that the amount appropriated is
12 less than the total amount authorized to be appropriated
13 for included program activities, all amounts, including
14 floors and ceilings, specified in the authorizing Act for
15 those program activities or their subactivities shall be re-
16 duced proportionally: *Provided further*, That \$85,000,000
17 of the funds available under this heading shall be made
18 available for a comprehensive research initiative on plant
19 genomes for economically significant crops.

20 MAJOR RESEARCH EQUIPMENT AND FACILITIES

21 CONSTRUCTION

22 For necessary expenses for the acquisition, construc-
23 tion, commissioning, and upgrading of major research
24 equipment, facilities, and other such capital assets pursu-
25 ant to the National Science Foundation Act of 1950, as
26 amended, including authorized travel, \$79,280,000, to re-

1 main available until expended: *Provided*, That
2 \$20,000,000 of the funds available under this heading
3 shall be made available for Earthscope: *Provided further*,
4 That the funds appropriated for Earthscope shall not be
5 available for obligation until the position of Deputy Direc-
6 tor for Large Facility Projects is filled on a permanent
7 basis.

8 EDUCATION AND HUMAN RESOURCES

9 For necessary expenses in carrying out science and
10 engineering education and human resources programs and
11 activities pursuant to the National Science Foundation
12 Act of 1950, as amended (42 U.S.C. 1861–1875), includ-
13 ing services as authorized by 5 U.S.C. 3109, authorized
14 travel, and rental of conference rooms in the District of
15 Columbia, \$947,730,000, to remain available until Sep-
16 tember 30, 2004: *Provided*, That to the extent that the
17 amount of this appropriation is less than the total amount
18 authorized to be appropriated for included program activi-
19 ties, all amounts, including floors and ceilings, specified
20 in the authorizing Act for those program activities or their
21 subactivities shall be reduced proportionally.

22 SALARIES AND EXPENSES

23 For salaries and expenses necessary in carrying out
24 the National Science Foundation Act of 1950, as amended
25 (42 U.S.C. 1861–1875); services authorized by 5 U.S.C.
26 3109; hire of passenger motor vehicles; not to exceed

1 \$9,000 for official reception and representation expenses;
2 uniforms or allowances therefor, as authorized by 5 U.S.C.
3 5901–5902; rental of conference rooms in the District of
4 Columbia; and reimbursement of the General Services Ad-
5 ministration for security guard services; \$182,160,000:
6 *Provided*, That contracts may be entered into under “Sala-
7 ries and expenses” in fiscal year 2003 for maintenance
8 and operation of facilities, and for other services, to be
9 provided during the next fiscal year.

10 NATIONAL SCIENCE BOARD

11 For necessary expenses (including payment of sala-
12 ries, authorized travel, hire of passenger motor vehicles,
13 the rental of conference rooms in the District of Columbia,
14 and the employment of experts and consultants under sec-
15 tion 3109 of title 5, United States Code) involved in car-
16 rying out section 4 of the National Science Foundation
17 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209
18 (42 U.S.C. 1880 et seq.), \$3,500,000: *Provided*, That not
19 more than \$9,000 shall be available for official reception
20 and representation expenses.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector
23 General as authorized by the Inspector General Act of
24 1978, as amended, \$9,060,000, to remain available until
25 September 30, 2004.

1 ADMINISTRATIVE PROVISION

2 Notwithstanding the second sentence of section 4(g)
3 of the National Science Foundation Act of 1950 (42
4 U.S.C. 1863(g)), the Chairman of the National Science
5 Board shall have the sole discretion to appoint staff for
6 the National Science Board.

7 NEIGHBORHOOD REINVESTMENT CORPORATION

8 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT

9 CORPORATION

10 For payment to the Neighborhood Reinvestment Cor-
11 poration for use in neighborhood reinvestment activities,
12 as authorized by the Neighborhood Reinvestment Corpora-
13 tion Act (42 U.S.C. 8101–8107), \$110,000,000, of which
14 \$5,000,000 shall be for a homeownership program that
15 is used in conjunction with section 8 assistance under the
16 United States Housing Act of 1937, as amended; and of
17 which \$5,000,000 shall be for a multi-family rental hous-
18 ing program.

19 SELECTIVE SERVICE SYSTEM

20 SALARIES AND EXPENSES

21 For necessary expenses of the Selective Service Sys-
22 tem, including expenses of attendance at meetings and of
23 training for uniformed personnel assigned to the Selective
24 Service System, as authorized by 5 U.S.C. 4101–4118 for
25 civilian employees; purchase of uniforms, or allowances

1 therefor, as authorized by 5 U.S.C. 5901–5902; hire of
2 passenger motor vehicles; services as authorized by 5
3 U.S.C. 3109; and not to exceed \$750 for official reception
4 and representation expenses; \$26,480,000: *Provided*, That
5 during the current fiscal year, the President may exempt
6 this appropriation from the provisions of 31 U.S.C. 1341,
7 whenever the President deems such action to be necessary
8 in the interest of national defense: *Provided further*, That
9 none of the funds appropriated by this Act may be ex-
10 pended for or in connection with the induction of any per-
11 son into the Armed Forces of the United States.

12 TITLE IV—GENERAL PROVISIONS

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

1 tion with major disasters or emergencies declared or deter-
2 mined by the President under the provisions of the Robert
3 T. Stafford Disaster Relief and Emergency Assistance
4 Act; to travel performed by the Offices of Inspector Gen-
5 eral in connection with audits and investigations; or to
6 payments to interagency motor pools where separately set
7 forth in the budget schedules: *Provided further*, That if
8 appropriations in titles I, II, and III exceed the amounts
9 set forth in budget estimates initially submitted for such
10 appropriations, the expenditures for travel may cor-
11 respondingly exceed the amounts therefor set forth in the
12 estimates only to the extent such an increase is approved
13 by the Committees on Appropriations.

14 SEC. 402. No part of any appropriation contained in
15 this Act shall remain available for obligation beyond the
16 current fiscal year unless expressly so provided herein.

17 SEC. 403. No funds appropriated by this Act may be
18 expended—

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

21 (A) such certification is accompanied by,
22 or is part of, a voucher or abstract which de-
23 scribes the payee or payees and the items or
24 services for which such expenditure is being
25 made; or

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

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

8 SEC. 404. None of the funds provided in this Act to
9 any department or agency may be obligated or expended
10 for: (1) the transportation of any officer or employee of
11 such department or agency between the domicile and the
12 place of employment of the officer or employee, with the
13 exception of an officer or employee authorized such trans-
14 portation under 31 U.S.C. 1344 or 5 U.S.C. 7905 or (2)
15 to provide a cook, chauffeur, or other personal servants
16 to any officer or employee of such department or agency.

17 SEC. 405. None of the funds provided in this Act may
18 be used for payment, through grants or contracts, to re-
19 cipients that do not share in the cost of conducting re-
20 search resulting from proposals not specifically solicited
21 by the Government: *Provided*, That the extent of cost
22 sharing by the recipient shall reflect the mutuality of in-
23 terest of the grantee or contractor and the Government
24 in the research.

1 SEC. 406. None of the funds provided in this Act may
2 be used, directly or through grants, to pay or to provide
3 reimbursement for payment of the salary of a consultant
4 (whether retained by the Federal Government or a grant-
5 ee) at more than the daily equivalent of the rate paid for
6 level IV of the Executive Schedule, unless specifically au-
7 thorized by law.

8 SEC. 407. None of the funds provided in this Act may
9 be used to pay the expenses of, or otherwise compensate,
10 non-Federal parties intervening in regulatory or adjudica-
11 tory proceedings. Nothing herein affects the authority of
12 the Consumer Product Safety Commission pursuant to
13 section 7 of the Consumer Product Safety Act (15 U.S.C.
14 2056 et seq.).

15 SEC. 408. Except as otherwise provided under exist-
16 ing law, or under an existing Executive Order issued pur-
17 suant to an existing law, the obligation or expenditure of
18 any appropriation under this Act for contracts for any
19 consulting service shall be limited to contracts which are:
20 (1) a matter of public record and available for public in-
21 spection; and (2) thereafter included in a publicly available
22 list of all contracts entered into within 24 months prior
23 to the date on which the list is made available to the public
24 and of all contracts on which performance has not been
25 completed by such date. The list required by the preceding

1 sentence shall be updated quarterly and shall include a
2 narrative description of the work to be performed under
3 each such contract.

4 SEC. 409. Except as otherwise provided by law, no
5 part of any appropriation contained in this Act shall be
6 obligated or expended by any executive agency, as referred
7 to in the Office of Federal Procurement Policy Act (41
8 U.S.C. 401 et seq.), for a contract for services unless such
9 executive agency: (1) has awarded and entered into such
10 contract in full compliance with such Act and the regula-
11 tions promulgated thereunder; and (2) requires any report
12 prepared pursuant to such contract, including plans, eval-
13 uations, studies, analyses and manuals, and any report
14 prepared by the agency which is substantially derived from
15 or substantially includes any report prepared pursuant to
16 such contract, to contain information concerning: (A) the
17 contract pursuant to which the report was prepared; and
18 (B) the contractor who prepared the report pursuant to
19 such contract.

20 SEC. 410. None of the funds appropriated in title I
21 of this Act shall be used to enter into any new lease of
22 real property if the estimated annual rental is more than
23 \$300,000 unless the Secretary submits a report which the
24 Committees on Appropriations of the Congress approve

1 within 30 days following the date on which the report is
2 received.

3 SEC. 411. (a) It is the sense of the Congress that,
4 to the greatest extent practicable, all equipment and prod-
5 ucts purchased with funds made available in this Act
6 should be American-made.

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

13 SEC. 412. None of the funds appropriated in this Act
14 may be used to implement any cap on reimbursements to
15 grantees for indirect costs, except as published in Office
16 of Management and Budget Circular A-21.

17 SEC. 413. Such sums as may be necessary for fiscal
18 year 2003 pay raises for programs funded by this Act shall
19 be absorbed within the levels appropriated in this Act.

20 SEC. 414. None of the funds made available in this
21 Act may be used for any program, project, or activity,
22 when it is made known to the Federal entity or official
23 to which the funds are made available that the program,
24 project, or activity is not in compliance with any Federal

1 law relating to risk assessment, the protection of private
2 property rights, or unfunded mandates.

3 SEC. 415. Except in the case of entities that are
4 funded solely with Federal funds or any natural persons
5 that are funded under this Act, none of the funds in this
6 Act shall be used for the planning or execution of any pro-
7 gram to pay the expenses of, or otherwise compensate,
8 non-Federal parties to lobby or litigate in respect to adju-
9 dicatory proceedings funded in this Act. A chief executive
10 officer of any entity receiving funds under this Act shall
11 certify that none of these funds have been used to engage
12 in the lobbying of the Federal Government or in litigation
13 against the United States unless authorized under existing
14 law.

15 SEC. 416. No part of any funds appropriated in this
16 Act shall be used by an agency of the executive branch,
17 other than for normal and recognized executive-legislative
18 relationships, for publicity or propaganda purposes, and
19 for the preparation, distribution or use of any kit, pam-
20 phlet, booklet, publication, radio, television or film presen-
21 tation designed to support or defeat legislation pending
22 before the Congress, except in presentation to the Con-
23 gress itself.

24 SEC. 417. All Departments and agencies funded
25 under this Act are encouraged, within the limits of the

1 existing statutory authorities and funding, to expand their
2 use of “E-Commerce” technologies and procedures in the
3 conduct of their business practices and public service ac-
4 tivities.

5 SEC. 418. Appropriations and funds available for the
6 administrative expenses of the Department of Housing
7 and Urban Development and the Selective Service System
8 shall be available in the current fiscal year for purchase
9 of uniforms, or allowances therefor, as authorized by 5
10 U.S.C. 5901–5902; hire of passenger motor vehicles; and
11 services as authorized by 5 U.S.C. 3109.

12 SEC. 419. None of the funds provided in this Act to
13 any department or agency shall be obligated or expended
14 to procure passenger automobiles as defined in 15 U.S.C.
15 2001 with an EPA estimated miles per gallon average of
16 less than 22 miles per gallon.

17 This Act may be cited as the “Departments of Vet-
18 erans Affairs and Housing and Urban Development, and
19 Independent Agencies Appropriations Act, 2003”.

Calendar No. 519

107TH CONGRESS
2^D SESSION

S. 2797

[Report No. 107-222]

A BILL

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, 2003, and for other purposes.

JULY 25, 2002

Read twice and placed on the calendar