

2099, 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 fiscal year ending September 30, 1996, and for other purposes.

AMENDMENT NO. 2785

At the request of Mr. ROCKEFELLER the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of Amendment No. 2785 proposed to H.R. 2099, 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 fiscal year ending September 30, 1996, and for other purposes.

AMENDMENT NO. 2786

At the request of Mr. BAUCUS the names of the Senator from Washington [Mrs. MURRAY] and the Senator from Minnesota [Mr. WELLSTONE] were added as cosponsors of Amendment No. 2786 proposed to H.R. 2099, 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 fiscal year ending September 30, 1996, and for other purposes.

AMENDMENTS SUBMITTED

THE VA-HUD APPROPRIATIONS ACT FOR FISCAL YEAR 1996

LAUTENBERG (AND ROBB)
AMENDMENT NO. 2788

Mr. LAUTENBERG (for himself and Mr. ROBB) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for fiscal year ending September 30, 1996, and for other purposes; as follows:

On page 141, line 4, strike beginning with "\$1,003,400,000" through page 152, line 9, and insert the following: "\$1,435,000,000 to remain available until expended, consisting of \$1,185,000,000 as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101-508, and \$250,000,000 as a payment from general revenues to the Hazardous Substance Superfund as authorized by section 517(b) of SARA, as amended by Public Law 101-508: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That \$11,700,000 of the funds appropriated under this heading shall be transferred to the Office of Inspector General appropriation to remain available until September 30, 1996: *Provided further*, That notwithstanding section 111(m) of CERCLA or any other provision of law, not to exceed \$64,000,000 of the funds appropriated under this heading shall be available to the Agency for Toxic Substances and Disease Registry to carry out activities described in sections

104(i), 111(c)(4), and 111(c)(14) of CERCLA and section 118(f) of the Superfund Amendments and Reauthorization Act of 1986: *Provided further*, That none of the funds appropriated under this heading shall be available for the Agency for Toxic Substances and Disease Registry to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 1996: *Provided further*, That none of the funds made available under this heading may be used by the Environmental Protection Agency to propose for listing or to list any additional facilities on the National Priorities List established by section 105 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended (42 U.S.C. 9605), unless the Administrator receives a written request to propose for listing or to list a facility from the Governor of the State in which the facility is located, or appropriate tribal leader, or unless legislation to reauthorize CERCLA is enacted.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project, \$45,827,000, to remain available until expended: *Provided*, That no more than \$8,000,000 shall be available for administrative expenses: *Provided further*, That \$600,000 shall be transferred to the Office of Inspector General appropriation to remain available until September 30, 1996.

OIL SPILL RESPONSE

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, \$15,000,000, to be derived from the Oil Spill Liability trust fund, and to remain available until expended: *Provided*, That not more than \$8,000,000 of these funds shall be available for administrative expenses.

PROGRAM AND INFRASTRUCTURE ASSISTANCE

For environmental programs and infrastructure assistance, including capitalization grants for state revolving funds and performance partnership grants, \$2,668,000,000, to remain available until expended, of which \$1,828,000,000 shall be for making capitalization grants for State revolving funds to support water infrastructure financing; \$100,000,000 for architectural, engineering, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; \$50,000,000 for grants to the State of Texas, which shall be matched by an equal amount of State funds from State resources, for the purpose of improving wastewater treatment for colonias; and \$15,000,000 for grants to the State of Alaska, subject to an appropriate cost share as determined by the Administrator, to address wastewater infrastructure needs of Alaska Native villages: *Provided*, That beginning in fiscal year 1996 and each fiscal year thereafter, and notwithstanding any other provision of law, the Administrator is authorized to make grants annually from funds appropriated under this heading, subject to such terms and conditions as the Administrator shall establish, to any State or federally recognized Indian tribe for multimedia or single media pollution prevention, control and abatement and related environmental activities at the request of the Governor or other appropriate

State official or the tribe: *Provided further*, That from funds appropriated under this heading, the Administrator may make grants to federally recognized Indian governments for the development of multimedia environmental programs: *Provided further*, That of the \$1,828,000,000 for capitalization grants for State revolving funds to support water infrastructure financing, \$500,000,000 shall be for drinking water State revolving funds, but if no drinking water State revolving fund legislation is enacted by December 31, 1995, these funds shall immediately be available for making capitalization grants under title VI of the Federal Water Pollution Control Act, as amended: *Provided further*, That of the funds made available under this heading in Public Law 103-327 and in Public Law 103-124 for capitalization grants for State revolving funds to support water infrastructure financing, \$225,000,000 shall be made available for capitalization grants for State revolving funds under title VI of the Federal Water Pollution Control Act, as amended, if no drinking water State revolving fund legislation is enacted by December 31, 1995.

ADMINISTRATIVE PROVISIONS

SEC. 301. MORATORIUM ON CERTAIN EMISSIONS TESTING REQUIREMENTS.

(a) MORATORIUM.—

(1) IN GENERAL.—The Administrator of the Environmental Protection Agency (referred to in this subsection as the "Administrator") shall not require adoption or implementation by a State of a test-only or I/M240 enhanced vehicle inspection and maintenance program as a means of compliance with section 182 of the Clean Air Act (42 U.S.C. 7511a), but the Administrator may approve such a program if a State chooses to adopt the program as a means of compliance.

(2) REPEAL.—Paragraph (1) is repealed effective as of the date that is 1 year after the date of enactment of this Act.

(b) PLAN APPROVAL.—

(1) IN GENERAL.—The Administrator of the Environmental Protection Agency (referred to in this subsection as the "Administrator") shall not disapprove a State implementation plan revision under section 182 of the Clean Air Act (42 U.S.C. 7511a) on the basis of a regulation providing for a 50-percent discount for alternative test-and-repair inspection and maintenance programs.

(2) CREDIT.—If a State provides data for a proposed inspection and maintenance system for which credits are appropriate under section 182 of the Clean Air Act (42 U.S.C. 7511a), the Administrator shall allow the full amount of credit for the system that is appropriate without regard to any regulation that implements that section by requiring centralized emissions testing.

(3) DEADLINE.—The Administrator shall complete and present a technical assessment of data for a proposed inspection and maintenance system submitted by a State not later than 45 days after the date of submission.

SEC. 302. None of the funds made available in this Act may be used by the Environmental Protection Agency to impose or enforce any requirement that a State implement trip reduction measures to reduce vehicular emissions. Section 304 of the Clean Air Act (42 U.S.C. 7604) shall not apply with respect to any such requirement during the period beginning on the date of the enactment of this Act and ending September 30, 1996.

SEC. 303. None of the funds provided in this Act may be used within the Environmental Protection Agency for any final action by the Administrator or her delegate for signing and publishing for promulgation a rule concerning any new standard for arsenic, sulfates, radon, ground water disinfection, or

the contaminants in phase IV B in drinking water, unless the Safe Drinking Water Act of 1986 has been reauthorized.

SEC. 304. None of the funds provided in this Act may be used during fiscal year 1996 to sign, promulgate, implement or enforce the requirement proposed as "Regulation of Fuels and Fuel Additives: Individual Foreign Refinery Baseline Requirements for Reformulated Gasoline" at volume 59 of the Federal Register at pages 22800 through 22814.

SEC. 305. None of the funds appropriated to the Environmental Protection Agency for fiscal year 1996 may be used to implement section 404(c) of the Federal Water Pollution Control Act, as amended. No pending action by the Environmental Protection Agency to implement section 404(c) with respect to an individual permit shall remain in effect after the date of enactment of this Act.

SEC. 306. Notwithstanding any other provision of law, for this fiscal year and hereafter, an industrial discharger to the Kalamazoo Water Reclamation Plant, an advanced wastewater treatment plant with activated carbon, may be exempted from categorical pretreatment standards under section 307(b) of the Federal Water Pollution Control Act, as amended, if the following conditions are met: (1) the Kalamazoo Water Reclamation Plant applies to the State of Michigan for an exemption for such industrial discharger and (2) the State or the Administrator, as applicable, approves such exemption request based upon a determination that the Kalamazoo Water Reclamation Plant will provide treatment consistent with or better than treatment requirements set forth by the EPA, and there exists an operative financial contract between the City of Kalamazoo and the industrial user and an approved local pretreatment program, including a joint monitoring program and local controls to prevent against interference and pass through.

SEC. 307. No funds appropriated by this Act may be used during fiscal year 1996 to enforce the requirements of section 211(m)(2) of the Clean Air Act that require fuel refiners, marketers, or persons who sell or dispense fuel to ultimate consumers in any carbon monoxide nonattainment area in Alaska to use methyl tertiary butyl ether (MTBE) to meet the oxygen requirements of that section.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, not to exceed \$2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, \$4,981,000: *Provided*, That the Office of Science and Technology Policy shall reimburse other agencies for not less than one-half of the personnel compensation costs of individuals detailed to it.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Improvement Act of 1970 and Reorganization Plan No. 1 of 1977, \$2,188,000.

ADMINISTRATIVE PROVISIONS

SEC. 401. Section 105(b) of House Concurrent Resolution 67 (104th Congress, 1st Session) is amended to read as follows:

"(b) RECONCILIATION OF REVENUE REDUCTIONS IN THE SENATE.—

"(1) CERTIFICATION.—(A) In the Senate, upon the certification pursuant to section 205(a) of this resolution, the Senate Committee on Finance shall submit its recommendations pursuant to paragraph (2) to the Senate Committee on the Budget. After receiving the recommendations, the Committee on the Budget shall add such recommendations to the recommendations submitted pursuant to subsection (a) and report a reconciliation bill carrying out all such recommendations without any substantive revision.

"(B) The Chair of the Committee on the Budget shall file with the Senate revised allocations, aggregates, and discretionary spending limits under section 201(a)(1)(B) increasing budget authority by \$760,788,000 and outlays by \$760,788,000.

"(2) COMMITTEE ON FINANCE.—Funding for this section shall be provided by limiting any tax cut provided in the reconciliation bill to families with incomes less than \$150,000."

FEINGOLD (AND OTHERS) AMENDMENT NO. 2789

Mr. FEINGOLD (for himself, Ms. MOSELEY-BRAUN, Mr. KENNEDY, Mr. BRADLEY, Mr. WELLSTONE, Ms. MIKULSKI, and Mr. SIMON) proposed an amendment to the bill H.R. 2099, supra; as follows:

On page 125, strike lines 12 through 17.

CHAFEE (AND LEVIN) AMENDMENT NO. 2790

Mr. CHAFEE (for himself and Mr. LEVIN) proposed an amendment to the bill H.R. 2099, supra; as follows:

On page 150, strike lines 12 through 24, and insert the following: "for this fiscal year and hereafter, an industrial discharger that is a pharmaceutical manufacturing facility and discharged to the Kalamazoo Water Reclamation Plant (an advanced wastewater treatment plant with activated carbon) prior to the date of enactment of this Act may be exempted from categorical pretreatment standards under section 307(b) of the Federal Water Pollution Control Act, as amended, if the following conditions are met: (1) the owner or operator of the Kalamazoo Water Reclamation Plant applies to the State of Michigan for an exemption for such industrial discharger, (2) the State or Administrator, as applicable, approves such exemption request based upon a determination that the Kalamazoo Water Reclamation Plant will provide treatment and pollution removal consistent with or better than treatment and pollution removal requirements set forth by the Environmental Protection Agency, the State determines that the total removal of each pollutant released into the environment will not be lesser than the total removal of such pollutants that would occur in the absence of the exemption, and (3) compliance with paragraph (2) is addressed by the provisions and conditions of a permit issued to the Kalamazoo Water Reclamation Plant under section 402 of such Act, and there exists an operative".

BINGAMAN (AND OTHERS) AMENDMENT NO. 2791

Mr. BINGAMAN (for himself, Mrs. HUTCHISON, and Mr. DOMENICI) proposed an amendment to the bill H.R. 2099, supra; as follows:

On page 40, line 17, insert before the period the following: "Provided further, That sec-

tion 916 of the Cranston-Gonzalez National Affordable Housing Act shall apply with respect to fiscal year 1996, notwithstanding section 916(f) of that Act".

CHAFEE (AND OTHERS) AMENDMENT NO. 2792

Mr. CHAFEE (for himself, Mr. LIEBERMAN, and Mr. SANTORUM) proposed an amendment to the bill H.R. 2099, supra; as follows:

On page 142, line 20, after the period, insert the following: "Provided further, That the Administrator shall continue funding the Brownfields Economic Redevelopment Initiative from available funds at a level necessary to complete the award of 50 cumulative Brownfields Pilots planned for award by the end of FY96 and carry out other elements of the Brownfields Action Agenda in order to facilitate economic redevelopment at Brownfields sites."

THURMOND AMENDMENT NO. 2793

Mr. THURMOND proposed an amendment to the bill H.R. 2099, supra; as follows:

On page 3, line 19, strike "\$1,345,300,000" and insert "\$1,352,180,000."

On page 3, strike line 24 and add "as amended: *Provided further*, That of the amounts appropriated for readjustment benefits, \$6,880,000 shall be available for funding the Service Members Occupational Conversion and Training program as authorized by sections 4481-4497 of Public Law 102-484, as amended."

On page 10, line 18, strike "\$880,000,000" and insert "\$872,000,000."

HARKIN AMENDMENT NO. 2794

Ms. MIKULSKI (for Mr. HARKIN) proposed an amendment to the bill H.R. 2099, supra; as follows:

At the appropriate place, insert the following:

SEC. . The Administrator of the Environmental Protection Agency shall not, under authority of section 6 of the Toxic Substances Control Act (15 U.S.C. 2605), take final action on the proposed rule dated February 28, 1994 (59 Fed. Reg. 11122 (March 9, 1994)) to prohibit or otherwise restrict the manufacturing, processing, distributing, or use of any fishing sinkers or lures containing lead, zinc, or brass unless the Administrator finds that the risk to waterfowl cannot be addressed through alternative means in which case, the rule making may proceed 180 days after Congress is notified of the finding.

BOND (AND OTHERS) AMENDMENT NO. 2795

Mr. BOND (for himself, Mr. D'AMATO, Mr. BENNETT, and Mr. MACK) proposed an amendment to the bill H.R. 2099, supra; as follows:

On page 105, beginning on line 10, strike "SEC. 214." and all that follows through line 4 on page 107:

"SEC. 214. SECTION 8 CONTRACT RENEWAL.

"(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall renew upon expiration each contract for project-based assistance under section 8 of the United States Housing Act of 1937 that expires during fiscal year 1996 in accordance with this subsection.

"(b) CONTRACT TERM.—Each contract described in subsection (a) may be renewed for a term not to exceed 2 years.

"(c) RENTS AND OTHER CONTRACT TERMS.—Except as provided in subsections (d) and (e),

the Secretary shall offer to renew each contract described in subsection (a) (including any contract relating to a multifamily project whose mortgage is insured or assisted under the new construction and substantial rehabilitation program under section 8 of the United States Housing Act of 1937):

“(1) at a rent equal to the budget-based rent for the project;

“(2) at the current rent, where the current rent does not exceed 120 percent of the fair market rent for the jurisdiction in which the project is located; or

“(3) at the current rent, pending the implementation of guidelines for budget-based rents.

“(d) LOAN MANAGEMENT SET-ASIDE CONTRACTS.—The Secretary shall offer to renew each loan management set-aside contract at a rent equal to the budget-based rent for the unit, as determined by the Secretary, for a period not to exceed 1 year.

“(e) TENANT-BASED ASSISTANCE OPTION.—Notwithstanding any other provision of law, the Secretary may, with the consent of the owner of a project that is subject to a contract described in subsection (a) and with notice to and in consultation with the tenants, agree to provide tenant-based rental assistance under section 8(b) or 8(o) in lieu of renewing a contract to provide project-based rental assistance under subsection (a). Subject to advance appropriations, the Secretary may offer an owner incentives to convert to tenant-based rental assistance.

“(f) DEMONSTRATION PROGRAM.—If a contract described in subsection (a) is eligible for the demonstration program under section 213, the Secretary may make the contract subject to the requirements of section 213.

“(g) DEFINITIONS.—

“(1) BUDGET-BASED RENT.—For purposes of this section, the term “budget-based rent”, with respect to a multifamily housing project, means the rent that is established by the Secretary, based on the actual and projected costs of operating the project, at a level that will provide income sufficient, with respect to the project, to support—

“(A) the debt service of the project.

“(B) the operating expenses of the project, including—

(i) contributions to actual reserves;

(ii) the costs of maintenance and necessary rehabilitation, as determined by the Secretary;

(iii) other costs permitted under section 8 of the United States Housing Act of 1937, as determined by the Secretary.

“(C) an adequate allowance for potential and reasonable operating losses due to vacancies and failure to collect rents, as determined by the Secretary.

“(D) an allowance for a rate of return on equity to the owner not to exceed 6 percent.

“(E) other expenses, as determined to be necessary by the Secretary.

“(2) BASIC RENTAL CHARGE FOR SECTION 236.—“A basic rental charge” determined or approved by the Secretary for a project receiving interest reduction payments under section 236 of the National Housing Act shall be deemed a “budget-based rent” within the meaning of this section.”

“(3) SECRETARY.—The term “Secretary” refers to the Secretary of Housing and Urban Development.”

SIMON (AND MOSELEY-BRAUN) AMENDMENT NO. 2796

Mr. BOND (for Mr. SIMON for himself and Ms. MOSELEY-BRAUN) proposed an amendment to the bill H.R. 2099, supra, as follows:

On page 169, at the end of line 7, insert before the period the following: “effective

April 1, 1997: *Provided*, That none of the aforementioned authority or responsibility for enforcement of the Fair Housing Act shall be transferred to the Attorney General until adequate personnel and resources allocated to such activity at the Department of Housing and Urban Development are transferred to the Department of Justice.”

JOHNSTON AMENDMENT NO. 2797

Mr. BOND (for Mr. JOHNSTON) proposed an amendment to the bill H.R. 2099, supra, as follows:

At the appropriate place, insert: “Not later than 90 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (EPA) shall enter into an arrangement with the National Academy of Sciences to investigate and report on the scientific bases for the public recommendations of the EPA with respect to indoor radon and other naturally occurring radioactive materials (NORM). The National Academy shall examine EPA’s guidelines in light of the recommendations of the National Council on Radiation Protection and Measurements, and other peer-reviewed research by the National Cancer Institute, the Centers for Disease Control, and others, on radon and NORM. The National Academy shall summarize the principal areas of agreement and disagreement among the above, and shall evaluate the scientific and technical basis for any differences that exist. Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to Congress the report of the National Academy and a statement, the Administrator’s views on the need to revise guidelines for radon and NORM in response to the evaluation of the National Academy. Such statement shall explain and differentiate the technical and policy bases for such views.”

BINGAMAN AMENDMENT NO. 2798

Mr. BOND (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2099, supra, as follows:

At the appropriate place, insert the following:

SEC. . ENERGY SAVINGS AT FEDERAL FACILITIES.

(a) REDUCTION IN FACILITIES ENERGY COSTS.—

(1) IN GENERAL.—The head of each agency for which funds are made available under this Act shall—

(A) take all actions necessary to achieve during fiscal year 1996 a 5 percent reduction, from fiscal year 1995 levels, in the energy costs of the facilities used by the agency; or

(B) enter into a sufficient number of energy savings performance contracts with private sector energy service companies under title VIII of the National Energy Conservation Policy Act (42 U.S.C. 8287 et seq.) to achieve during fiscal year 1996 at least a 5 percent reduction, from fiscal year 1995 levels, in the energy use of the facilities used by the agency.

(2) GOAL.—The activities described in paragraph (1) should be a key component of agency programs that will by the year 2000 result in a 20 percent reduction, from fiscal year 1985 levels, in the energy use of the facilities used by the agency, as required by section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253).

(b) USE OF COST SAVINGS.—An amount equal to the amount of cost savings realized by an agency under subsection (a) shall remain available for obligation through the end of fiscal year 2000, without further authorization or appropriation, as follows:

(1) CONSERVATION MEASURES.—Fifty percent of the amount shall remain available

for the implementation of additional energy conservation measures and for water conservation measures at such facilities used by the agency as are designated by the head of the agency.

(2) OTHER PURPOSES.—Fifty percent of the amount shall remain available for use by the agency for such purposes as are designated by the head of the agency, consistent with applicable law.

(c) REPORTS.—

(1) BY AGENCY HEADS.—The head of each agency for which funds are made available under this Act shall include in each report of the agency to the Secretary of Energy under section 548(a) of the National Energy Conservation Policy Act (42 U.S.C. 8258(a)) a description of the results of the activities carried out under subsection (a) and recommendations concerning how to further reduce energy costs and energy consumption in the future.

(2) BY SECRETARY OF ENERGY.—The reports required under paragraph (1) shall be included in the annual reports required to be submitted to Congress by the Secretary of Energy under section 548(b) of the Act (42 U.S.C. 8258(b)).

(3) CONTENTS.—With respect to the period since the date of the preceding report, a report under paragraph (1) or (2) shall—

(A) specify the total energy costs of the facilities used by the agency;

(B) identify the reductions achieved;

(C) specify the actions that resulted in the reductions;

(D) with respect to the procurement procedures of the agency, specify what actions have been taken to—

(i) implement the procurement authorities provided by subsections (a) and (c) of section 546 of the National Energy Conservation Policy Act (42 U.S.C. 8256); and

(ii) incorporate directly, or by reference, the requirements of the regulations issued by the Secretary of Energy under title VIII of the Act (42 U.S.C. 8287 et seq.); and

(E) specify—

(i) the actions taken by the agency to achieve the goal specified in subsection (a)(2);

(ii) the procurement procedures and methods used by the agency under section 546(a)(2) of the Act (42 U.S.C. 8256(a)(2)); and

(iii) the number of energy savings performance contracts entered into by the agency under title VIII of the Act (42 U.S.C. 8287 et seq.).

BOND AMENDMENT NO. 2799

Mr. BOND proposed an amendment to the bill H.R. 2099, supra, as follows:

On page 153, line 17, strike “\$166,000,000”, and insert “\$168,900,000”.

On page 153, line 21, strike “\$4,400,000”, and insert “\$4,673,000”.

On page 154, line 13, strike “\$100,000,000”, and insert “\$114,173,000”.

BOND AMENDMENT NO. 2800

Mr. BOND proposed an amendment to the bill H.R. 2099, supra, as follows:

On page 22, line 5, insert the following:

“SEC. 111. During fiscal year 1996, not to exceed \$5,700,000 may be transferred from ‘Medical care’ to ‘Medical administration and miscellaneous operating expenses.’ No transfer may occur until 20 days after the Secretary of Veterans Affairs provides written notice to the House and Senate Committees on Appropriations.”

On page 27, line 23, insert a comma after the word “analysis”.

On page 28, line 1, strike out “program and” and insert in lieu thereof “program”.

On page 28, line 18, strike out "or court orders".

On page 28, line 20, strike out "and".

On page 29, line 13, strike out "amount" and insert in lieu thereof "\$624,000,000".

On page 29, line 17, strike out "plan of actions" and insert in lieu thereof "plans of action".

On page 29, line 21, strike out "be closed" and insert in lieu thereof "close".

On page 29, lines 23 and 24, strike out "\$624,000,000 appropriated in the preceding proviso" and insert in lieu thereof "foregoing \$624,000,000".

On page 30, line 2, strike out "the discretion to give" and insert in lieu thereof "giving".

On page 30, line 12, strike out "proviso" and insert in lieu thereof "provision".

On page 32, line 10, strike out "purpose" and insert in lieu thereof "purposes".

On page 33, line 6, strike out "purpose" and insert in lieu thereof "purposes".

On page 33, line 10, strike out "determined" and insert in lieu thereof "determines".

On page 33, strike out lines 15 and 15, and insert in lieu thereof "funding made available pursuant to this paragraph and that has not been obligated by the agency and distribute such funds to one or more".

On page 33, line 23, strike out "agencies and" and insert "agencies and to".

On page 40, strike out line 9 and insert "a grant made available under the preceding proviso to the Housing Assistance Council or the National American Indian Housing Council, or a grant using funds under section 107(b)(3) of the Housing and Community Development Act of 1974".

On page 40, beginning on line 20, strike out "public and Indian housing agencies" and insert in lieu thereof "public housing agencies (including Indian housing authorities), nonprofit corporations, and other appropriate entities".

On page 40, line 22, strike out "and" the second time it appears and insert a comma.

On page 40, line 24, insert after "1437f)" the following: ", and other low-income families and individuals".

On page 41, line 5, after "Provided" insert "further".

On page 41, line 6, after "shall include" insert "congregate services for the elderly and disabled, service coordinators, and".

On page 45, line 24, strike out "originally" and insert in lieu thereof "originally".

On page 45, strike out the matter after "That" on line 26, through line 5 on page 46, and insert in lieu thereof "the Secretary may use any negative subsidy amounts from the sale of such assigned mortgage notes during fiscal year 1996 for the disposition of properties or notes under this heading."

On page 47, strike out the matter after "That" on line 17, through "Development" on line 25, and insert in lieu thereof "the Secretary may use any negative subsidy amounts from the sale of such assigned mortgage notes during fiscal year 1996, in addition to amounts otherwise provided, for the disposition of properties or notes under this heading (including the credit subsidy for the guarantee of loans or the reduction of positive credit subsidy amounts that would otherwise be required for the sale of such properties or notes), and for any other purpose under this heading".

On page 68, line 1, after "Section 1002" insert "(d)".

On page 69, lines 5 and 6, strike out "Notwithstanding the previous sentence" and insert in lieu thereof "Where the rent determined under the previous sentence is less than \$25".

On page 70, line 12, strike out "and" and insert in lieu thereof "any".

On page 71, line 1, strike out "(A) IN GENERAL.—".

On page 71, strike out lines 11 through 18.

On page 72, line 6, after "comment," insert "a".

On page 72, line 7, strike out "are" and insert "is".

On page 72, line 18, after "comment," insert "a".

On page 72, line 19, strike out "are" and insert "is".

On page 74, line 6, strike out "selection criteria" and insert in lieu thereof "system of preferences for selection".

On page 74, line 11, strike out "selection criteria" and insert in lieu thereof "system of preferences for selection".

On page 74, strike out lines 13 through 16, and redesignate subsequent paragraphs.

On page 75, line 1, strike out "selection criteria" and insert in lieu thereof "system of preferences for selection".

On page 75, strike out the matter beginning on line 12 through line 19 on page 76, and insert in lieu thereof the following:

"(B) CRANSTON-GONZALEZ NATIONAL AFFORDABLE HOUSING ACT.—Section 522(f)(b)(B) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12704 et seq.) is amended by striking 'any preferences for such assistance under section 8(d)(1)(A)(i)' and inserting 'written system of preferences for selection established pursuant to section 8(d)(1)(A)'."

"(C) HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1992.—Section 655 of the Housing and Community Development Act of 1992 (42 U.S.C. 13615) is amended by striking 'the preferences' and all that follows through the period at the end and inserting 'any preferences'."

On page 76, line 20, strike out "(E)" and insert "(D)".

On page 77, lines 3 and 4, strike out "selection criteria" and insert in lieu thereof "system of preferences for selection".

On page 86, line 1, strike out "of issuance and".

On page 87, line 13, after "evaluations of", insert "up to 15".

On page 87, line 17, strike out "(d)" and insert "(e)".

On page 90, line 2, strike out "Secretary." and insert "Secretary; and".

On page 90, line 5, strike out "agree to cooperate with" and insert in lieu thereof "participate in a".

On page 92, line 21, strike out "final".

On page 95, line 9, after "agency" insert "in connection with a program authorized under section 542 (b) or (c) of the Housing and Community Development Act of 1992".

On page 95, strike out lines 11 and 12, and insert in lieu thereof "542(c)(4) of such Act".

On page 95, strike out the matter beginning with "a" on line 17 through "section" on line 18, and insert in lieu thereof "an assistance contract under this section, other than a contract for tenant-based assistance."

On page 96, line 10, strike out "years" and insert "year".

On page 102, line 18, strike out "section 216(c)(4) hereof" and insert in lieu thereof "paragraph (4)".

On page 106, line 8, strike out "subject to" and insert in lieu thereof "eligible for".

On page 106, line 14, strike out "(8 NC/SR)" and insert in lieu thereof "the section 8 new construction or substantial rehabilitation program".

On page 106, line 15, strike out "subject to" and insert in lieu thereof "eligible for".

On page 107, line 6, strike out "Sec. 217." and insert "Sec. 215."

On page 117, line 8, strike out "subparagraphs" and insert "subsections".

On page 117, line 10, strike out "subsections" and insert "subparagraphs".

On page 117, line 11, strike out "subparagraph" and insert "subsection".

On page 118, strike out lines 19 through 21, and insert in lieu thereof the following:

"(1) Subsection (a) is amended by—

(A) striking out in the first sentence 'low-income' and inserting in lieu thereof 'very low-income'; and

(B) striking out 'eligible low income housing' and inserting in lieu thereof 'housing financed under the programs set forth in section 229(1)(A) of this Act'."

On page 120, line 2, strike out "Subsection" and insert "Paragraph".

On page 120, strike out lines 18 through 22, and insert in lieu thereof the following:

"(2) Paragraph (8) is amended—

(A) by deleting in subparagraph (A) the words 'determining the authorized return under section 219(b)(6)(ii)';

(B) by deleting in subparagraph (B) 'and 221'; and

(C) by deleting in subparagraph (B) the words 'acquisition loans under'."

On page 121, line 3, strike out "Subsection" and insert "Paragraph".

On page 122, line 4, strike out "Subsection" and insert "Paragraph".

On page 122, line 13, strike out "Subsection" and insert "Section".

On page 122, line 21, strike out "Subsection" and insert "Section".

On page 147, line 17, before the period, insert the following:

"*Provided further*, That of the funds appropriated in the Construction Grants and Water Infrastructure/State Revolving Funds accounts since the appropriation for the fiscal year ending September 30, 1992, and hereafter, for making grants for wastewater treatment works construction projects, portions may be provided by the recipients to states for managing construction grant activities, on condition that the states agree to reimburse the recipients from state funding sources".

On page 149, line 19, strike "phase IV" and insert in lieu thereof "phase VI".

KEMPThorNE (AND BOND) AMENDMENT NO. 2801

Mr. BOND (for Mr. KEMPThorNE for himself and Mr. BOND) proposed an amendment to the bill, H.R. 2099, supra; as follows:

On page 147, line 6, strike "December 31, 1995" and insert "April 30, 1996".

On page 147, line 17, strike "December 31, 1995" and insert "April 30, 1996".

FAIRCLOTH AMENDMENT NO. 2802

Mr. BOND (for Mr. FAIRCLOTH) proposed an amendment to the bill, H.R. 2099, supra; as follows:

On page 128, add a new section to the bill: "SEC. . None of the funds provided in this Act may be used during fiscal year 1996 to investigate or prosecute under the Fair Housing Act (42 U.S.C. 3601, et seq.) any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of nonfrivolous legal action, that is engaged in solely for the purposes of—

"(1) achieving or preventing action by a Government official, entity, or court of competent jurisdiction."

FAIRCLOTH (AND KYL) AMENDMENT NO. 2803

Mr. BOND (for Mr. FAIRCLOTH for himself and Mr. KYL) proposed an amendment to the bill, H.R. 2099, supra; as follows:

On page 128, add a new section to the bill: "SEC. . None of the funds provided in this Act may be used to take any enforcement action with respect to a complaint of discrimination under the Fair Housing Act (42 U.S.C. 3601, et seq.) on the basis of familial status and which involves an occupancy standard established by the housing provider except to the extent that it is found that there has been discrimination in contravention of the standards provided in the March 20, 1991, Memorandum from the General Counsel of the Department of Housing and Urban Development of all Regional Counsels or until such time that HUD issues a final rule in accordance with 5 U.S.C. 553."

FEINSTEIN AMENDMENT NO. 2804

Mr. BOND (for Mrs. FEINSTEIN) proposed an amendment to the bill, H.R. 2099, supra; as follows:

At the appropriate place in title II, insert the following new section:

SEC.—CDBG ELIGIBLE ACTIVITIES.

Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

- (1) in paragraph (4)—
 - (A) by inserting "reconstruction," after "removal,"; and
 - (B) by striking "acquisition for rehabilitation, and rehabilitation" and inserting "acquisition for reconstruction or rehabilitation, and reconstruction or rehabilitation";
- (2) in paragraph (13), by striking "and" at the end;
- (3) by striking paragraph (19);
- (4) in paragraph (24), by striking "and" at the end;
- (5) in paragraph (25), by striking the period at the end and inserting "; and";
- (6) by redesignating paragraphs (20) through (25) as paragraphs (19) through (24), respectively; and
- (7) by redesignating paragraph (21) (as added by section 1012(f)(3) of the Housing and Community Development Act of 1992) as paragraph (25).

WARNER (AND NICKLES) AMENDMENT NO. 2805

Mr. BOND (for Mr. WARNER, for himself and Mr. NICKLES) proposed an amendment to the bill H.R. 2099, supra; as follows:

At the appropriate place in title III, insert the following:

SEC. 3. EPA RESEARCH AND DEVELOPMENT ACTIVITIES AND STAFFING.

(a) STAR PROGRAM.—The Administrator of the Environmental Protection Agency may not use any funds made available under this Act to implement the Science to Achieve Results [STAR] Program unless—

- (1) the use of the funds would not reduce any funding available to the laboratories of the Agency for staffing, cooperative agreements, grants, or support contracts; or
- (2) the Appropriations Committees of the Senate and House of Representatives grant prior approval. Transfers of funds to support STAR activities shall be considered a reprogramming of funds. Further, said approval shall be contingent upon submission of a report to the Committees as specified in section (c)(2) below.
- (b) CONTRACTOR CONVERSION.—The Administrator of the Environmental Protection Agency may not use any funds to—
 - (1) hire employees and create any new staff positions under the contractor conversion program in the Office of Research and Development.
 - (c) REPORT.—Not later than January 1, 1996, the Administrator shall submit to the

Appropriations Committees of the Senate and House of Representatives a report which—

- (1) provides a staffing plan for the Office of Research and Development indicating the use of Federal and contract employees;
- (2) identifies the amount of funds to be reprogrammed to STAR activities; and
- (3) provides a listing of any resource reductions below fiscal year 1995 funding levels, by specific laboratory, from Federal staffing, cooperative agreements, grants, or support contracts as a result of funding for the STAR Program.

MOYNIHAN (AND D'AMATO) AMENDMENT NO. 2806

Mr. BOND (for Mr. MOYNIHAN, for himself, and Mr. D'AMATO) proposed an amendment to the bill H.R. 2099, supra; as follows:

On page 43, between lines 13 and 14, insert the following:

"The amount made available for fiscal year 1995 for a special purpose grant for the renovation of the central terminal in Buffalo, New York, shall be made available for the central terminal and for other public facilities in Buffalo, New York."

BOND AMENDMENT NO. 2807

Mr. BOND proposed an amendment to the bill H.R. 2099, supra; as follows:

On page 130, strike out the matter beginning with line 19 through line 2 on page 131, and insert in lieu thereof the following: "For necessary expenses for the Corporation for National and Community Service in carrying out the orderly terminations of programs, activities, and initiatives under the National and Community Service Act of 1990, as amended (Public Law 103-82), \$6,000,000: *Provided*, That such amount shall be utilized to resolve all responsibilities and obligations in connection with said Corporation and the Corporation's Office of Inspector General."

FEINGOLD AMENDMENT NO. 2808

Mr. BOND (for Mr. FEINGOLD) proposed an amendment to the bill H.R. 2099, supra; as follows:

At the appropriate place in the bill, add the following:

SEC. . REPORT ON IMPACT OF COMMUNITY DEVELOPMENT FUNDS ON PLAN RELOCATIONS AND JOB DISLOCATION.

Not later than October 1, 1996, the Secretary of the Department of Housing and Urban Development shall submit to the appropriate Committees of the Congress a report on—

- (1) the extent to which funds provided under section 106 (Community Development Block Grants), section 107 (Special Purpose Grants), and Section 108(q) (Economic Development Grants) of the Housing and Community Development Act of 1974, have been used to facilitate the closing of an industrial or commercial plant or the substantial reduction of operations of a plant and result in the relocation or expansion of a plant from one state to another;
- (2) substantial the extent to which the availability of such funds has been a factor in the decision to relocate a plant from one state to another;
- (3) an analysis of the extent to which provisions in other laws prohibiting the use of federal funds to facilitate the closing of an industrial or commercial plant or the substantial reduction in the operations of such plant and the relocation or expansion of a plant have been effective; and

(4) recommendations as to how federal programs can be designed to prevent the use of federal funds to facilitate the transfer of jobs from one state to another.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

CRAIG AMENDMENT NO. 2809

(Ordered to lie on table.)

Mr. CRAIG submitted an amendment intended to be proposed by him to the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes; as follows:

At the appropriate place in title I, insert the following new section:

SEC. . None of the funds appropriated in this Act may be obligated or expended by the Department of Labor for the purposes of enforcement and the issuance of fines under Hazardous Occupation Order Number 12 (HO 12) with respect to the placement or loading of materials by a person under 18 years of age into a cardboard baler that is in compliance with the American National Standards Institute safety standard ANSI Z245.5 1990, and a compactor that is in compliance with the American National Standards Institute safety standard ANSI Z245.2 1992.

ABRAHAM AMENDMENT NO. 2810

(Ordered to lie on the table.)

Mr. ABRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 2127, supra; as follows:

On page 48, lines 15 and 16, strike "titles III and IV of the Goals 2000: Educate America Act" and insert "the Educational Choice and Equity Act of 1995".

On page 48, strike lines 18 through 20, and insert the following:

\$432,500,000, of which \$280,000,000 shall be available to carry out the Educational Choice and Equity Act of 1995, \$30,000,000 shall be available to the Secretary of Education for grants to States to enable such States to support charter school programs, and \$122,500,000 shall be available to carry out the School-to-Work Opportunities Act of 1994, shall become available on July 1,

On page 48, line 21, strike the colon and insert a period.

On page 48, beginning with line 22, strike all through page 49, line 2.

On page 58, line 4, insert "and" after "of title X,".

On page 58, lines 6 and 7, strike "and title VI of the Goals 2000: Educate America Act,".

On page 68, strike lines 19 through 22.

On page 108, between lines 15 and 16, insert the following:

TITLE —EDUCATIONAL CHOICE AND EQUITY

SEC. 01. SHORT TITLE.

This title may be cited as the "Educational Choice and Equity Act of 1995".

SEC. 02. PURPOSE.

The purpose of this title is to determine the effects on students and schools of providing financial assistance to low-income parents to enable such parents to select the public or private schools their children will attend.