

Calendar No. 109

107TH CONGRESS
1ST SESSION

H. R. 2620

IN THE SENATE OF THE UNITED STATES

JULY 31, 2001

Received; read twice and placed on the calendar

AN ACT

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes.

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
6 Development, and for sundry independent agencies,
7 boards, commissions, corporations, and offices for the fis-
8 cal year ending September 30, 2002, and for other pur-
9 poses, namely:

10 TITLE I—DEPARTMENT OF VETERANS AFFAIRS

11 VETERANS BENEFITS ADMINISTRATION

12 COMPENSATION AND PENSIONS

13 (INCLUDING TRANSFERS OF FUNDS)

14 For the payment of compensation benefits to or on
15 behalf of veterans and a pilot program for disability ex-
16 aminations as authorized by law (38 U.S.C. 107, chapters
17 11, 13, 18, 51, 53, 55, and 61); pension benefits to or
18 on behalf of veterans as authorized by law (38 U.S.C.
19 chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and bur-
20 ial benefits, emergency and other officers' retirement pay,
21 adjusted-service credits and certificates, payment of pre-
22 miums due on commercial life insurance policies guaran-
23 teed under the provisions of article IV of the Soldiers' and
24 Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 540 et
25 seq.) and for other benefits as authorized by law (38
26 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53,

1 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123;
2 45 Stat. 735; 76 Stat. 1198), \$24,944,288,000, to remain
3 available until expended: *Provided*, That not to exceed
4 \$17,940,000 of the amount appropriated under this head-
5 ing shall be reimbursed to “General operating expenses”
6 and “Medical care” for necessary expenses in imple-
7 menting those provisions authorized in the Omnibus
8 Budget Reconciliation Act of 1990, and in the Veterans’
9 Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55),
10 the funding source for which is specifically provided as the
11 “Compensation and pensions” appropriation: *Provided*
12 *further*, That such sums as may be earned on an actual
13 qualifying patient basis, shall be reimbursed to “Medical
14 facilities revolving fund” to augment the funding of indi-
15 vidual medical facilities for nursing home care provided
16 to pensioners as authorized.

17 READJUSTMENT BENEFITS

18 For the payment of readjustment and rehabilitation
19 benefits to or on behalf of veterans as authorized by law
20 (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53,
21 55, and 61), \$2,135,000,000, to remain available until ex-
22 pended: *Provided*, That expenses for rehabilitation pro-
23 gram services and assistance which the Secretary is au-
24 thorized to provide under section 3104(a) of title 38,
25 United States Code, other than under subsection (a)(1),

1 (2), (5) and (11) of that section, shall be charged to this
2 account.

3 VETERANS INSURANCE AND INDEMNITIES

4 For military and naval insurance, national service life
5 insurance, servicemen's indemnities, service-disabled vet-
6 erans insurance, and veterans mortgage life insurance as
7 authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72
8 Stat. 487, \$26,200,000, to remain available until ex-
9 pended.

10 VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM

11 ACCOUNT

12 (INCLUDING TRANSFER OF FUNDS)

13 For the cost of direct and guaranteed loans, such
14 sums as may be necessary to carry out the program, as
15 authorized by 38 U.S.C. chapter 37, as amended: *Pro-*
16 *vided*, That such costs, including the cost of modifying
17 such loans, shall be as defined in section 502 of the Con-
18 gressional Budget Act of 1974, as amended: *Provided fur-*
19 *ther*, That during fiscal year 2002, within the resources
20 available, not to exceed \$300,000 in gross obligations for
21 direct loans are authorized for specially adapted housing
22 loans.

23 In addition, for administrative expenses to carry out
24 the direct and guaranteed loan programs, \$164,497,000,
25 which may be transferred to and merged with the appro-
26 priation for "General operating expenses".

1 EDUCATION LOAN FUND PROGRAM ACCOUNT
2 (INCLUDING TRANSFER OF FUNDS)

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

10 In addition, for administrative expenses necessary to
11 carry out the direct loan program, \$64,000, which may
12 be transferred to and merged with the appropriation for
13 “General operating expenses”.

14 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT
15 (INCLUDING TRANSFER OF FUNDS)

16 For the cost of direct loans, \$72,000, as authorized
17 by 38 U.S.C. chapter 31, as amended: *Provided*, That such
18 costs, including the cost of modifying such loans, shall be
19 as defined in section 502 of the Congressional Budget Act
20 of 1974, as amended: *Provided further*, That funds made
21 available under this heading are available to subsidize
22 gross obligations for the principal amount of direct loans
23 not to exceed \$3,301,000.

24 In addition, for administrative expenses necessary to
25 carry out the direct loan program, \$274,000, which may

1 be transferred to and merged with the appropriation for
2 “General operating expenses”.

3 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
4 ACCOUNT
5 (INCLUDING TRANSFER OF FUNDS)

6 For administrative expenses to carry out the direct
7 loan program authorized by 38 U.S.C. chapter 37, sub-
8 chapter V, as amended, \$544,000, which may be trans-
9 ferred to and merged with the appropriation for “General
10 operating expenses”.

11 GUARANTEED TRANSITIONAL HOUSING LOANS FOR
12 HOMELESS VETERANS PROGRAM ACCOUNT

13 For the administrative expenses to carry out the
14 guaranteed transitional housing loan program authorized
15 by 38 U.S.C. chapter 37, subchapter VI, not to exceed
16 \$750,000 of the amounts appropriated by this Act for
17 “General operating expenses” and “Medical care” may be
18 expended.

19 VETERANS HEALTH ADMINISTRATION
20 MEDICAL CARE

21 For necessary expenses for the maintenance and op-
22 eration of hospitals, nursing homes, and domiciliary facili-
23 ties; for furnishing, as authorized by law, inpatient and
24 outpatient care and treatment to beneficiaries of the De-
25 partment of Veterans Affairs, including care and treat-

1 ment in facilities not under the jurisdiction of the depart-
2 ment; and furnishing recreational facilities, supplies, and
3 equipment; funeral, burial, and other expenses incidental
4 thereto for beneficiaries receiving care in the department;
5 administrative expenses in support of planning, design,
6 project management, real property acquisition and disposi-
7 tion, construction and renovation of any facility under the
8 jurisdiction or for the use of the department; oversight,
9 engineering and architectural activities not charged to
10 project cost; repairing, altering, improving or providing fa-
11 cilities in the several hospitals and homes under the juris-
12 diction of the department, not otherwise provided for, ei-
13 ther by contract or by the hire of temporary employees
14 and purchase of materials; uniforms or allowances there-
15 for, as authorized by 5 U.S.C. 5901–5902; aid to State
16 homes as authorized by 38 U.S.C. 1741; administrative
17 and legal expenses of the department for collecting and
18 recovering amounts owed the department as authorized
19 under 38 U.S.C. chapter 17, and the Federal Medical
20 Care Recovery Act, 42 U.S.C. 2651 et seq.,
21 \$21,281,587,000 (increased by \$1,000,000), plus reim-
22 bursements: *Provided*, That of the funds made available
23 under this heading, \$900,000,000 is for the equipment
24 and land and structures object classifications only, which
25 amount shall not become available for obligation until Au-

1 gust 1, 2002, and shall remain available until September
2 30, 2003: *Provided further*, That of the funds made avail-
3 able under this heading, not to exceed \$500,000,000 shall
4 be available until September 30, 2003: *Provided further*,
5 That of the funds made available under this heading, not
6 to exceed \$3,000,000,000 shall be available for operations
7 and maintenance expenses of medical facilities: *Provided*
8 *further*, That the Secretary of Veterans Affairs shall con-
9 duct by contract a program of recovery audits for the fee
10 basis and other medical services contracts with respect to
11 payments for hospital care; and, notwithstanding 31
12 U.S.C. 3302(b), amounts collected, by setoff or otherwise,
13 as the result of such audits shall be available, without fis-
14 cal year limitation, for the purposes for which funds are
15 appropriated under this heading and the purposes of pay-
16 ing a contractor a percent of the amount collected as a
17 result of an audit carried out by the contractor: *Provided*
18 *further*, That all amounts so collected under the preceding
19 proviso with respect to a designated health care region (as
20 that term is defined in 38 U.S.C. 1729A(d)(2)) shall be
21 allocated, net of payments to the contractor, to that re-
22 gion.

23 MEDICAL CARE COLLECTIONS FUND

24 (INCLUDING TRANSFER OF FUNDS)

25 Amounts deposited during the current fiscal year in
26 the Department of Veterans Affairs Medical Care Collec-

1 tions Fund under section 1729A of title 38, United States
2 Code, shall be transferred to “Medical care”, to remain
3 available until expended.

4 MEDICAL AND PROSTHETIC RESEARCH

5 For necessary expenses in carrying out programs of
6 medical and prosthetic research and development as au-
7 thorized by 38 U.S.C. chapter 73, to remain available for
8 obligation until September 30, 2003, \$371,000,000, plus
9 reimbursements.

10 MEDICAL ADMINISTRATION AND MISCELLANEOUS

11 OPERATING EXPENSES

12 For necessary expenses in the administration of the
13 medical, hospital, nursing home, domiciliary, construction,
14 supply, and research activities, as authorized by law; ad-
15 ministrative expenses in support of capital policy activi-
16 ties, \$66,731,000, plus reimbursements: *Provided*, That
17 technical and consulting services offered by the Facilities
18 Management Field Service, including project management
19 and real property administration (including leases, site ac-
20 quisition and disposal activities directly supporting
21 projects), shall be provided to Department of Veterans Af-
22 fairs components only on a reimbursable basis.

23 DEPARTMENTAL ADMINISTRATION

24 GENERAL OPERATING EXPENSES

25 For necessary operating expenses of the Department
26 of Veterans Affairs, not otherwise provided for, including

1 administrative expenses in support of Department-wide
2 capital planning, management and policy activities, uni-
3 forms or allowances therefor; not to exceed \$25,000 for
4 official reception and representation expenses; hire of pas-
5 senger motor vehicles; and reimbursement of the General
6 Services Administration for security guard services, and
7 the Department of Defense for the cost of overseas em-
8 ployee mail, \$1,195,728,000: *Provided*, That expenses for
9 services and assistance authorized under 38 U.S.C.
10 3104(a)(1), (2), (5), and (11) that the Secretary deter-
11 mines are necessary to enable entitled veterans: (1) to the
12 maximum extent feasible, to become employable and to ob-
13 tain and maintain suitable employment; or (2) to achieve
14 maximum independence in daily living, shall be charged
15 to this account: *Provided further*, That of the funds made
16 available under this heading, not to exceed \$60,000,000
17 shall be available for obligation until September 30, 2003:
18 *Provided further*, That from the funds made available
19 under this heading, the Veterans Benefits Administration
20 may purchase up to four passenger motor vehicles for use
21 in operations of that Administration in Manila, Phil-
22 ippines: *Provided further*, That travel expenses for this ac-
23 count shall not exceed \$15,665,000.

1 NATIONAL CEMETERY ADMINISTRATION

2 For necessary expenses of the National Cemetery Ad-
3 ministration for operations and maintenance, not other-
4 wise provided for, including uniforms or allowances there-
5 for; cemeterial expenses as authorized by law; purchase
6 of one passenger motor vehicle for use in cemeterial oper-
7 ations; and hire of passenger motor vehicles,
8 \$121,169,000.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General in carrying out the Inspector General Act of 1978,
12 as amended, \$52,308,000.

13 CONSTRUCTION, MAJOR PROJECTS

14 For constructing, altering, extending and improving
15 any of the facilities under the jurisdiction or for the use
16 of the Department of Veterans Affairs, or for any of the
17 purposes set forth in sections 316, 2404, 2406, 8102,
18 8103, 8106, 8108, 8109, 8110, and 8122 of title 38,
19 United States Code, including planning, architectural and
20 engineering services, maintenance or guarantee period
21 services costs associated with equipment guarantees pro-
22 vided under the project, services of claims analysts, offsite
23 utility and storm drainage system construction costs, and
24 site acquisition, where the estimated cost of a project is
25 \$4,000,000 or more or where funds for a project were
26 made available in a previous major project appropriation,

1 \$183,180,000, to remain available until expended, of
2 which not to exceed \$20,000,000 shall be for costs associ-
3 ated with land acquisitions for national cemeteries in the
4 vicinity of Sacramento, California; Pittsburgh, Pennsyl-
5 vania; and Detroit, Michigan: *Provided*, That except for
6 advance planning activities, including needs assessments
7 which may or may not lead to capital investments, and
8 other capital asset management related activities, such as
9 portfolio development and management activities, and in-
10 vestment strategy studies funded through the advance
11 planning fund and the planning and design activities fund-
12 ed through the design fund and CARES funds, including
13 needs assessments which may or may not lead to capital
14 investments, none of the funds appropriated under this
15 heading shall be used for any project which has not been
16 approved by the Congress in the budgetary process: *Pro-*
17 *vided further*, That funds provided in this appropriation
18 for fiscal year 2002, for each approved project shall be
19 obligated: (1) by the awarding of a construction docu-
20 ments contract by September 30, 2002; and (2) by the
21 awarding of a construction contract by September 30,
22 2003: *Provided further*, That the Secretary of Veterans Af-
23 fairs shall promptly report in writing to the Committees
24 on Appropriations any approved major construction
25 project for which obligations are not incurred within the

1 time limitations established under the preceding proviso:
2 *Provided further*, That no funds from any other account
3 except the “Parking revolving fund”, may be obligated for
4 constructing, altering, extending, or improving a project
5 which was approved in the budget process and funded in
6 this account until 1 year after substantial completion and
7 beneficial occupancy by the Department of Veterans Af-
8 fairs of the project or any part thereof with respect to
9 that part only.

10 FACILITY REHABILITATION FUND

11 For altering, improving, or rehabilitating facilities
12 under the jurisdiction of the Department of Veterans Af-
13 fairs, \$300,000,000 to remain available until expended:
14 *Provided*, That of the funds made available under this
15 heading \$30,000,000 shall be only for projects authorized
16 pursuant to section 2(b)(5) of H.R. 811 as passed by the
17 House of Representatives on March 27, 2001; and
18 \$270,000,000 shall be only for projects achieving the pur-
19 poses authorized in sections 2(c)(1), (2), and (3) of H.R.
20 811 as passed by the House of Representatives on March
21 27, 2001: *Provided further*, That none of the funds under
22 this heading may be used for the construction of a new
23 building unless a credible assessment, approved by the
24 Secretary, demonstrates new construction would be more
25 cost-effective than rehabilitating the existing building.

1 CONSTRUCTION, MINOR PROJECTS

2 For constructing, altering, extending, and improving
3 any of the facilities under the jurisdiction or for the use
4 of the Department of Veterans Affairs, including planning
5 and assessments of needs which may lead to capital invest-
6 ments, architectural and engineering services, mainte-
7 nance or guarantee period services costs associated with
8 equipment guarantees provided under the project, services
9 of claims analysts, offsite utility and storm drainage sys-
10 tem construction costs, and site acquisition, or for any of
11 the purposes set forth in sections 316, 2404, 2406, 8102,
12 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title
13 38, United States Code, where the estimated cost of a
14 project is less than \$4,000,000, \$178,900,000, to remain
15 available until expended, along with unobligated balances
16 of previous “Construction, minor projects” appropriations
17 which are hereby made available for any project where the
18 estimated cost is less than \$4,000,000, of which
19 \$25,000,000 shall be for Capital Asset Realignment for
20 Enhanced Services (CARES) activities: *Provided*, That
21 from amounts appropriated under this heading, additional
22 amounts may be used for CARES activities upon notifica-
23 tion of and approval by the Committees on Appropria-
24 tions: *Provided further*, That funds in this account shall
25 be available for: (1) repairs to any of the nonmedical facili-

1 ADMINISTRATIVE PROVISIONS
2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 101. Any appropriation for fiscal year 2002 for
4 “Compensation and pensions”, “Readjustment benefits”,
5 and “Veterans insurance and indemnities” may be trans-
6 ferred to any other of the mentioned appropriations.

7 SEC. 102. Appropriations available to the Depart-
8 ment of Veterans Affairs for fiscal year 2002 for salaries
9 and expenses shall be available for services authorized by
10 5 U.S.C. 3109.

11 SEC. 103. No appropriations in this Act for the De-
12 partment of Veterans Affairs (except the appropriations
13 for “Construction, major projects”, “Construction, minor
14 projects”, and the “Parking revolving fund”) shall be
15 available for the purchase of any site for or toward the
16 construction of any new hospital or home.

17 SEC. 104. No appropriations in this Act for the De-
18 partment of Veterans Affairs shall be available for hos-
19 pitalization or examination of any persons (except bene-
20 ficiaries entitled under the laws bestowing such benefits
21 to veterans, and persons receiving such treatment under
22 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless re-
23 imbursement of cost is made to the “Medical care” ac-
24 count at such rates as may be fixed by the Secretary of
25 Veterans Affairs.

1 SEC. 105. Appropriations available to the Depart-
2 ment of Veterans Affairs for fiscal year 2002 for “Com-
3 pensation and pensions”, “Readjustment benefits”, and
4 “Veterans insurance and indemnities” shall be available
5 for payment of prior year accrued obligations required to
6 be recorded by law against the corresponding prior year
7 accounts within the last quarter of fiscal year 2001.

8 SEC. 106. Appropriations accounts available to the
9 Department of Veterans Affairs for fiscal year 2002 shall
10 be available to pay prior year obligations of corresponding
11 prior year appropriations accounts resulting from title X
12 of the Competitive Equality Banking Act, Public Law
13 100–86, except that if such obligations are from trust
14 fund accounts they shall be payable from “Compensation
15 and pensions”.

16 SEC. 107. Notwithstanding any other provision of
17 law, during fiscal year 2002, the Secretary of Veterans
18 Affairs shall, from the National Service Life Insurance
19 Fund (38 U.S.C. 1920), the Veterans’ Special Life Insur-
20 ance Fund (38 U.S.C. 1923), and the United States Gov-
21 ernment Life Insurance Fund (38 U.S.C. 1955), reim-
22 burse the “General operating expenses” account for the
23 cost of administration of the insurance programs financed
24 through those accounts: *Provided*, That reimbursement
25 shall be made only from the surplus earnings accumulated

1 in an insurance program in fiscal year 2002, that are
2 available for dividends in that program after claims have
3 been paid and actuarially determined reserves have been
4 set aside: *Provided further*, That if the cost of administra-
5 tion of an insurance program exceeds the amount of sur-
6 plus earnings accumulated in that program, reimburse-
7 ment shall be made only to the extent of such surplus
8 earnings: *Provided further*, That the Secretary shall deter-
9 mine the cost of administration for fiscal year 2002, which
10 is properly allocable to the provision of each insurance pro-
11 gram and to the provision of any total disability income
12 insurance included in such insurance program.

13 SEC. 108. (a)(1) Section 1729B of title 38, United
14 States Code, is repealed. Any balance as of the date of
15 the enactment of this Act in the Department of Veterans
16 Affairs Health Services Improvement Fund established
17 under such section shall be transferred to the Department
18 of Veterans Affairs Medical Care Collections Fund estab-
19 lished under section 1729A of title 38, United States
20 Code.

21 (2) The table of sections at the beginning of chapter
22 17 of such title is amended by striking the item relating
23 to section 1729B.

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

1 (1) by redesignating paragraph (7) as para-
2 graph (9); and

3 (2) by inserting after paragraph (6) the fol-
4 lowing new paragraphs:

5 “(7) Section 8165(a) of this title.

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

9 (c)(1) Section 1722A(c) of such title is amended—

10 (A) in the first sentence, by striking “under
11 subsection (a)” and inserting “under this section”;
12 and

13 (B) by striking the second sentence.

14 (2) Section 8165(a)(1) of such title is amended by
15 striking “Department of Veterans Affairs Health Services
16 Improvement Fund established under section 1729B of
17 this title” and inserting “Department of Veterans Affairs
18 Medical Care Collections Fund established under section
19 1729A of this title”.

20 (3) Section 113(b) of the Veterans Millennium
21 Health Care and Benefits Act (Public Law 106–117; 38
22 U.S.C. 8111 note) is amended by striking “Department
23 of Veterans Affairs Health Services Improvement Fund
24 established under section 1729B of title 38, United States
25 Code, as added by section 202” and inserting “Depart-

1 ment of Veterans Affairs Medical Care Collections Fund
2 established under section 1729A of title 38, United States
3 Code”.

4 SEC. 109. Notwithstanding any other provision of
5 law, the Department of Veterans Affairs shall continue the
6 Franchise Fund pilot program authorized to be estab-
7 lished by section 403 of Public Law 103–356 until Octo-
8 ber 1, 2002: *Provided*, That the Franchise Fund, estab-
9 lished by title I of Public Law 104–204 to finance the
10 operations of the Franchise Fund pilot program, shall con-
11 tinue until October 1, 2002.

12 SEC. 110. Amounts deducted from enhanced-use
13 lease proceeds to reimburse an account for expenses in-
14 curred by that account during a prior fiscal year for pro-
15 viding enhanced-use lease services, may be obligated dur-
16 ing the fiscal year in which the proceeds are received.

17 SEC. 111. Funds available in any Department of Vet-
18 erans Affairs appropriation for fiscal year 2002 or funds
19 for salaries and other administrative expenses shall also
20 be available to reimburse the Office of Resolution Manage-
21 ment and the Office of Employment Discrimination Com-
22 plaint Adjudication for all services provided at rates which
23 will recover actual costs but not exceed \$28,555,000 for
24 the Office of Resolution Management and \$2,383,000 for
25 the Office of Employment and Discrimination Complaint

1 Adjudication: *Provided*, That payments may be made in
2 advance for services to be furnished based on estimated
3 costs: *Provided further*, that amounts received shall be
4 credited to “General operating expenses” for use by the
5 office that provided the service.

6 TITLE II—DEPARTMENT OF HOUSING AND
7 URBAN DEVELOPMENT
8 PUBLIC AND INDIAN HOUSING
9 HOUSING CERTIFICATE FUND

10 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

11 For activities and assistance to prevent the involun-
12 tary displacement of low-income families, the elderly and
13 the disabled because of the loss of affordable housing
14 stock, expiration of subsidy contracts (other than con-
15 tracts for which amounts are provided under another
16 heading in this Act) or expiration of use restrictions, or
17 other changes in housing assistance arrangements, and for
18 other purposes, \$16,334,242,000, of which \$640,000,000
19 shall be from unobligated balances from amounts recap-
20 tured from fiscal year 2000 and prior years pursuant to
21 a reduction in the amounts provided for Annual Contribu-
22 tions Contract Reserve Accounts, and amounts that are
23 recaptured in this account to remain available until ex-
24 pended: *Provided*, That not later than October 1, 2001,
25 the Department of Housing and Urban Development shall
26 reduce from 60 days to 30 days the amount of reserve

1 funds made available to public housing authorities: *Pro-*
2 *vided further*, That of the total amount provided under
3 this heading, \$16,125,241,000, of which \$11,285,241,000
4 and the aforementioned recaptures shall be available on
5 October 1, 2001 and \$4,200,000,000 shall be available on
6 October 1, 2002, shall be for assistance under the United
7 States Housing Act of 1937, as amended (“the Act” here-
8 in) (42 U.S.C. 1437): *Provided further*, That the foregoing
9 amounts shall be for use in connection with expiring or
10 terminating section 8 subsidy contracts, for amendments
11 to section 8 subsidy contracts, for enhanced vouchers (in-
12 cluding amendments and renewals) under any provision
13 of law authorizing such assistance under section 8(t) of
14 the Act (47 U.S.C. 1437f(t)), contract administrators, and
15 contracts entered into pursuant to section 441 of the
16 McKinney-Vento Homeless Assistance Act: *Provided fur-*
17 *ther*, That amounts available under the first proviso under
18 this heading shall be available for section 8 rental assist-
19 ance under the Act: (1) for the relocation and replacement
20 of housing units that are demolished or disposed of pursu-
21 ant to the Omnibus Consolidated Rescissions and Appro-
22 priations Act of 1996 (Public Law 104–134; Stat. 1321–
23 269); (2) for the conversion of section 23 projects to as-
24 sistance under section 8; (3) for funds to carry out the
25 family unification program; (4) for the relocation of wit-

1 nesses in connection with efforts to combat crime in public
2 and assisted housing pursuant to a request from a law
3 enforcement or prosecution agency; (5) for tenant protec-
4 tion assistance, including replacement and relocation as-
5 sistance; and (6) for the 1-year renewal of section 8 con-
6 tracts for units in a project that is subject to an approved
7 plan of action under the Emergency Low Income Housing
8 Preservation Act of 1987 or the Low-Income Housing
9 Preservation and Resident Homeownership Act of 1990:
10 *Provided further*, That of the total amount provided under
11 this heading, no less than \$11,000,000 shall be trans-
12 ferred to the Working Capital Fund for the development
13 and maintenance of information technology systems: *Pro-*
14 *vided further*, That of the total amount provided under
15 this heading, up to \$197,246,000 shall be made available
16 for incremental vouchers under section 8 of the Act, of
17 which \$157,334,000 shall be made available on a fair
18 share basis to those public housing agencies that have a
19 97 percent occupancy rate; and of which \$39,912,000
20 shall be made available to nonelderly disabled families af-
21 fected by the designation of a public housing development
22 under section 7 of the Act, the establishment of pref-
23 erences in accordance with section 651 of the Housing and
24 Community Development Act of 1992 (42 U.S.C. 13611),
25 or the restriction of occupancy to elderly families in ac-

1 cordance with section 658 of such Act (42 U.S.C. 13618),
2 and to the extent the Secretary determines that such
3 amount is not needed to fund applications for such af-
4 fected families, to other nonelderly disabled families: *Pro-*
5 *vided further*, That up to \$195,600,730 from amounts
6 available under this heading may be made available for
7 administrative fees and other expenses to cover the cost
8 of administering rental assistance programs under section
9 8 of the Act: *Provided further*, That the fee otherwise au-
10 thorized under section 8(q) of such Act shall be deter-
11 mined in accordance with section 8(q), as in effect imme-
12 diately before the enactment of the Quality Housing and
13 Work Responsibility Act of 1998: *Provided further*, That
14 \$886,000,000 is rescinded from unobligated balances re-
15 maining from funds appropriated to the Department of
16 Housing and Urban Development under this heading or
17 the heading “Annual contributions for assisted housing”
18 or any other heading for fiscal year 2001 and prior years:
19 *Provided further*, That any such balances governed by re-
20 allocation provisions under the statute authorizing the
21 program for which the funds were originally appropriated
22 shall not be available for this rescission: *Provided further*,
23 That the Secretary shall have until September 30, 2002,
24 to meet the rescission in the proviso preceding the imme-
25 diately preceding proviso: *Provided further*, That any obli-

1 gated balances of contract authority that have been termi-
2 nated shall be canceled.

3 PUBLIC HOUSING CAPITAL FUND

4 (INCLUDING TRANSFER OF FUNDS)

5 For the Public Housing Capital Fund Program to
6 carry out capital and management activities for public
7 housing agencies, as authorized under section 9 of the
8 United States Housing Act of 1937, as amended (42
9 U.S.C. 1437g), \$2,555,000,000, to remain available until
10 September 30, 2003: *Provided*, That, hereafter, notwith-
11 standing any other provision of law or any failure of the
12 Secretary of Housing and Urban Development to issue
13 regulations to carry out section 9(j) of the United States
14 Housing Act of 1937 (42 U.S.C. 1437g(j)), such section
15 is deemed to have taken effect on October 1, 1998, and,
16 except as otherwise provided in this heading, shall apply
17 to all assistance made available under this same heading
18 on or after such date: *Provided further*, That of the total
19 amount provided under this heading, in addition to
20 amounts otherwise allocated under this heading,
21 \$262,000,000 shall be allocated for such capital and man-
22 agement activities only among public housing agencies
23 that have obligated all assistance for the agency for fiscal
24 years 1998 and 1999 made available under this same
25 heading in accordance with the requirements under para-
26 graphs (1) and (2) of section 9(j) of such Act (except that

1 the provisions of section 9(j)(4) shall not apply to such
2 amounts): *Provided further*, That notwithstanding any
3 other provision of law or regulation, the Secretary may
4 not delegate to any Department official other than the
5 Deputy Secretary any authority under paragraph (2) of
6 such section 9(j) regarding the extension of the time peri-
7 ods under such section for obligation of amounts made
8 available for fiscal year 1998, 1999, 2000, 2001, or 2002:
9 *Provided further*, That notwithstanding the first proviso
10 and paragraphs (3) and (5)(B) of such section 9(j), if at
11 any time before the effectiveness of final regulations
12 issued by the Secretary under section 6(j) of the United
13 States Housing Act of 1937 (42 U.S.C. 1437d(j)) pro-
14 viding for assessment of public housing agencies and des-
15 ignation of high-performing agencies, any amounts made
16 available under the public housing Capital Fund for fiscal
17 year 1999, 2000, 2001, or 2002 remain unobligated in
18 violation of paragraph (1) of such section 9(j) or unex-
19 pended in violation of paragraph (5)(A) of such section
20 9(j), the Secretary shall immediately recapture any such
21 amounts and reallocate such amounts among public hous-
22 ing agencies that, at the time of such reallocation, are not
23 in violation of any requirement under paragraph (1) or
24 (5)(A) of such section: *Provided further*, That for purposes
25 of this heading, the term “obligate” means, with respect

1 to amounts, that the amounts are subject to a binding
2 agreement that will result in outlays immediately or in the
3 future: *Provided further*, That of the total amount pro-
4 vided under this heading, up to \$51,000,000 shall be for
5 carrying out activities under section 9(h) of such Act, of
6 which up to \$10,000,000 shall be for the provision of re-
7 mediation services to public housing agencies identified as
8 “troubled” under the Section 8 Management Assessment
9 Program: *Provided further*, That of the total amount pro-
10 vided under this heading, up to \$500,000 shall be for lease
11 adjustments to section 23 projects, and no less than
12 \$43,000,000 shall be transferred to the Working Capital
13 Fund for the development and maintenance of information
14 technology systems: *Provided further*, That no funds may
15 be used under this heading for the purposes specified in
16 section 9(k) of the United States Housing Act of 1937,
17 as amended: *Provided further*, That of the total amount
18 provided under this heading, up to \$75,000,000 shall be
19 available for the Secretary of Housing and Urban Devel-
20 opment to make grants to public housing agencies for
21 emergency capital needs resulting from emergencies and
22 natural disasters in fiscal year 2002.

23 PUBLIC HOUSING OPERATING FUND

24 (INCLUDING TRANSFER OF FUNDS)

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

1 by section 9(e) of the United States Housing Act of 1937,
2 as amended (42 U.S.C. 1437g(e)), \$3,494,868,000, to re-
3 main available until September 30, 2003: *Provided*, That
4 of the total amount provided under this heading,
5 \$10,000,000 shall be provided to the Office of Inspector
6 General for Operation Safe Home: *Provided further*, That
7 of the total amount provided under this heading,
8 \$10,000,000 shall be for programs, as determined appro-
9 priate by the Attorney General, which assist in the inves-
10 tigation, prosecution, and prevention of violent crimes and
11 drug offenses in public and federally-assisted low-income
12 housing: *Provided further*, That funds made available in
13 the previous proviso shall be administered by the Depart-
14 ment of Justice through a reimbursable agreement with
15 the Department of Housing and Urban Development: *Pro-*
16 *vided further*, That no funds may be used under this head-
17 ing for the purposes specified in section 9(k) of the United
18 States Housing Act of 1937, as amended.

19 REVITALIZATION OF SEVERELY DISTRESSED PUBLIC
20 HOUSING (HOPE VI)

21 For grants to public housing agencies for demolition,
22 site revitalization, replacement housing, and tenant-based
23 assistance grants to projects as authorized by section 24
24 of the United States Housing Act of 1937, as amended,
25 \$573,735,000 to remain available until September 30,
26 2003, of which the Secretary may use up to \$5,000,000

1 for technical assistance and contract expertise, to be pro-
2 vided directly or indirectly by grants, contracts or coopera-
3 tive agreements, including training and cost of necessary
4 travel for participants in such training, by or to officials
5 and employees of the department and of public housing
6 agencies and to residents: *Provided*, That none of such
7 funds shall be used directly or indirectly by granting com-
8 petitive advantage in awards to settle litigation or pay
9 judgments, unless expressly permitted herein.

10 NATIVE AMERICAN HOUSING BLOCK GRANTS

11 (INCLUDING TRANSFERS OF FUNDS)

12 For the Native American Housing Block Grants pro-
13 gram, as authorized under title I of the Native American
14 Housing Assistance and Self-Determination Act of 1996
15 (NAHASDA) (25 U.S.C. 411 et seq.), \$648,570,000, to
16 remain available until expended, of which \$2,200,000 shall
17 be contracted through the Secretary as technical assist-
18 ance and capacity building to be used by the National
19 American Indian Housing Council in support of the imple-
20 mentation of NAHASDA; of which \$5,000,000 shall be
21 to support the inspection of Indian housing units, contract
22 expertise, and technical assistance in the training, over-
23 sight, and management of Indian housing and tenant-
24 based assistance, including up to \$300,000 for related
25 travel; and of which no less than \$2,000,000 shall be

1 transferred to the Working Capital Fund for the develop-
 2 ment and maintenance of information technology systems:
 3 *Provided*, That of the amount provided under this head-
 4 ing, \$5,987,000 shall be made available for the cost of
 5 guaranteed notes and other obligations, as authorized by
 6 title VI of NAHASDA: *Provided further*, That such costs,
 7 including the costs of modifying such notes and other obli-
 8 gations, shall be as defined in section 502 of the Congres-
 9 sional Budget Act of 1974, as amended: *Provided further*,
 10 That these funds are available to subsidize the total prin-
 11 cipal amount of any notes and other obligations, any part
 12 of which is to be guaranteed, not to exceed \$52,726,000:
 13 *Provided further*, That for administrative expenses to
 14 carry out the guaranteed loan program, up to \$150,000
 15 from amounts in the first proviso, which shall be trans-
 16 ferred to and merged with the appropriation for “Salaries
 17 and expenses”, to be used only for the administrative costs
 18 of these guarantees.

19 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

20 ACCOUNT

21 (INCLUDING TRANSFER OF FUNDS)

22 For the cost of guaranteed loans, as authorized by
 23 section 184 of the Housing and Community Development
 24 Act of 1992 (12 U.S.C. 1715z-13a), \$5,987,000, to re-
 25 main available until expended: *Provided*, That such costs,
 26 including the costs of modifying such loans, shall be as

1 defined in section 502 of the Congressional Budget Act
2 of 1974, as amended: *Provided further*, That these funds
3 are available to subsidize total loan principal, any part of
4 which is to be guaranteed, not to exceed \$234,283,000.

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

11 COMMUNITY PLANNING AND DEVELOPMENT

12 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

13 For carrying out the Housing Opportunities for Per-
14 sons with AIDS program, as authorized by the AIDS
15 Housing Opportunity Act (42 U.S.C. 12901),
16 \$277,432,000, to remain available until September 30,
17 2003: *Provided*, That the Secretary may use up to
18 \$2,000,000 of the funds under this heading for training,
19 oversight, and technical assistance activities.

20 COMMUNITY DEVELOPMENT FUND

21 (INCLUDING TRANSFERS OF FUNDS)

22 For assistance to units of State and local govern-
23 ment, and to other entities, for economic and community
24 development activities, and for other purposes,
25 \$4,801,993,000 (increased by \$10,000,000), to remain

1 available until September 30, 2003: *Provided*, That of the
2 amount provided, \$4,399,300,000 is for carrying out the
3 community development block grant program under title
4 I of the Housing and Community Development Act of
5 1974, as amended (the “Act” herein) (42 U.S.C. 5301):
6 *Provided further*, That \$69,000,000 shall be for grants to
7 Indian tribes notwithstanding section 106(a)(1) of such
8 Act; \$3,300,000 shall be available as a grant to the Hous-
9 ing Assistance Council; \$2,794,000 shall be available as
10 a grant to the National American Indian Housing Council;
11 \$5,000,000 shall be available as a grant to the National
12 Housing Development Corporation, for operating expenses
13 not to exceed \$2,000,000 and for a program of affordable
14 housing acquisition and rehabilitation; \$5,000,000 shall be
15 available as a grant to the National Council of La Raza
16 for the HOPE Fund, of which \$500,000 is for technical
17 assistance and fund management, and \$4,500,000 is for
18 investments in the HOPE Fund and financing to affiliated
19 organizations; and \$34,424,000 shall be for grants pursu-
20 ant to section 107 of the Act: *Provided further*, That no
21 less than \$15,000,000 shall be transferred to the Working
22 Capital Fund for the development and maintenance of in-
23 formation technology systems: *Provided further*, That
24 \$21,956,000 shall be for grants pursuant to the Self Help
25 Housing Opportunity Program: *Provided further*, That not

1 to exceed 20 percent of any grant made with funds appro-
2 priated under this heading (other than a grant made avail-
3 able in this paragraph to the Housing Assistance Council
4 or the National American Indian Housing Council, or a
5 grant using funds under section 107(b)(3) of the Act)
6 shall be expended for “Planning and Management Devel-
7 opment” and “Administration” as defined in regulations
8 promulgated by the Department.

9 Of the amount made available under this heading,
10 \$29,387,000 shall be made available for capacity building,
11 of which \$24,945,000 shall be made available for “Capac-
12 ity Building for Community Development and Affordable
13 Housing” for LISC and the Enterprise Foundation for ac-
14 tivities as authorized by section 4 of the HUD Demonstra-
15 tion Act of 1993 (42 U.S.C. 9816 note), as in effect imme-
16 diately before June 12, 1997, with not less than
17 \$4,989,000 of the funding to be used in rural areas, in-
18 cluding tribal areas, and of which \$4,442,000 shall be for
19 capacity building activities administered by Habitat for
20 Humanity International.

21 Of the amount made available under this heading, the
22 Secretary of Housing and Urban Development may use
23 up to \$54,879,000 for supportive services for public hous-
24 ing residents, as authorized by section 34 of the United
25 States Housing Act of 1937, as amended, and for resi-

1 dents of housing assisted under the Native American
2 Housing Assistance and Self-Determination Act of 1996
3 (NAHASDA) and for grants for service coordinators and
4 congregate services for the elderly and disabled residents
5 of public and assisted housing and housing assisted under
6 NAHASDA.

7 Of the amount made available under this heading,
8 \$25,000,000 shall be available for neighborhood initiatives
9 that are utilized to improve the conditions of distressed
10 and blighted areas and neighborhoods, to stimulate invest-
11 ment, economic diversification, and community revitaliza-
12 tion in areas with population outmigration or a stagnating
13 or declining economic base, or to determine whether hous-
14 ing benefits can be integrated more effectively with welfare
15 reform initiatives: *Provided*, that any unobligated balances
16 of amounts set aside for neighborhood initiatives in fiscal
17 years 1998, 1999, 2000, and 2001 may be utilized for any
18 of the foregoing purposes.

19 Of the amount made available under this heading,
20 notwithstanding any other provision of law, \$59,868,000
21 (increased by \$10,000,000) shall be available for
22 YouthBuild program activities authorized by subtitle D of
23 title IV of the Cranston-Gonzalez National Affordable
24 Housing Act, as amended, and such activities shall be an
25 eligible activity with respect to any funds made available

1 under this heading: *Provided*, That local YouthBuild pro-
2 grams that demonstrate an ability to leverage private and
3 nonprofit funding shall be given a priority for YouthBuild
4 funding: *Provided further*, That no more than 10 percent
5 of any grant award may be used for administrative costs:
6 *Provided further*, That of the amount provided under this
7 paragraph, \$2,000,000 shall be set aside and made avail-
8 able for a grant to YouthBuild USA for capacity building
9 for community development and affordable housing activi-
10 ties as specified in section 4 of the HUD Demonstration
11 Act of 1993, as amended.

12 Of the amount made available under this heading,
13 \$77,000,000 shall be available for grants for the Economic
14 Development Initiative (EDI) to finance a variety of eco-
15 nomic development efforts.

16 COMMUNITY DEVELOPMENT LOAN GUARANTEES
17 PROGRAM ACCOUNT
18 (INCLUDING TRANSFER OF FUNDS)

19 For the cost of guaranteed loans, \$14,000,000, to re-
20 main available until September 30, 2003, as authorized
21 by section 108 of the Housing and Community Develop-
22 ment Act of 1974, as amended: *Provided*, That such costs,
23 including the cost of modifying such loans, shall be as de-
24 fined in section 502 of the Congressional Budget Act of
25 1974, as amended: *Provided further*, That these funds are
26 available to subsidize total loan principal, any part of

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

9 BROWNFIELDS REDEVELOPMENT

10 For Economic Development Grants, as authorized by
11 section 108(q) of the Housing and Community Develop-
12 ment Act of 1974, as amended, for Brownfields redevelop-
13 ment projects, \$25,000,000, to remain available until Sep-
14 tember 30, 2003: *Provided*, That the Secretary of Housing
15 and Urban Development shall make these grants available
16 on a competitive basis as specified in section 102 of the
17 Department of Housing and Urban Development Reform
18 Act of 1989.

19 HOME INVESTMENT PARTNERSHIPS PROGRAM

20 (INCLUDING TRANSFER OF FUNDS)

21 For the HOME investment partnerships program, as
22 authorized under title II of the Cranston-Gonzalez Na-
23 tional Affordable Housing Act, as amended,
24 \$1,996,040,000 to remain available until September 30,
25 2003: *Provided*, That of the total amount provided under
26 this heading, \$200,000,000 shall be available for the

1 Downpayment Assistance Initiative, subject to the enact-
2 ment of subsequent legislation authorizing such initiative:
3 *Provided further*, That should legislation authorizing such
4 initiative not be enacted by June 30, 2002, amounts des-
5 ignated in the previous proviso shall become available for
6 any such purpose authorized under title II of the Cran-
7 ston-Gonzalez National Affordable Housing Act, as
8 amended: *Provided further*, That of the total amount pro-
9 vided under this heading, up to \$20,000,000 shall be avail-
10 able for Housing Counseling under section 106 of the
11 Housing and Urban Development Act of 1968; and no less
12 than \$17,000,000 shall be transferred to the Working
13 Capital Fund for the development and maintenance of in-
14 formation technology systems.

15 HOMELESS ASSISTANCE GRANTS

16 (INCLUDING TRANSFER OF FUNDS)

17 For the emergency shelter grants program as author-
18 ized under subtitle B of title IV of the McKinney-Vento
19 Homeless Assistance Act, as amended; the supportive
20 housing program as authorized under subtitle C of title
21 IV of such Act; the section 8 moderate rehabilitation sin-
22 gle room occupancy program as authorized under the
23 United States Housing Act of 1937, as amended, to assist
24 homeless individuals pursuant to section 441 of the
25 McKinney-Vento Homeless Assistance Act; and the shelter
26 plus care program as authorized under subtitle F of title

1 IV of such Act, \$1,027,745,000, to remain available until
2 September 30, 2003: *Provided*, That not less than 35 per-
3 cent of these funds shall be used for permanent housing,
4 and all funding for services must be matched by 25 per-
5 cent in funding by each grantee: *Provided further*, That
6 all awards of assistance under this heading shall be re-
7 quired to coordinate and integrate homeless programs
8 with other mainstream health, social services, and employ-
9 ment programs for which homeless populations may be eli-
10 gible, including Medicaid, State Children’s Health Insur-
11 ance Program, Temporary Assistance for Needy Families,
12 Food Stamps, and services funding through the Mental
13 Health and Substance Abuse Block Grant, Workforce In-
14 vestment Act, and the Welfare-to-Work grant program:
15 *Provided further*, That no less than \$14,200,000 of the
16 funds appropriated under this heading is transferred to
17 the Working Capital Fund to be used for technical assist-
18 ance for management information systems and to develop
19 an automated, client-level Annual Performance Report
20 System: *Provided further*, That \$500,000 shall be made
21 available to the Interagency Council on the Homeless for
22 administrative needs.

1 HOUSING PROGRAMS

2 HOUSING FOR SPECIAL POPULATIONS

3 (INCLUDING TRANSFER OF FUNDS)

4 For assistance for the purchase, construction, acqui-
5 sition, or development of additional public and subsidized
6 housing units for low income families not otherwise pro-
7 vided for, \$1,024,151,000, to remain available until Sep-
8 tember 30, 2003: *Provided*, That \$783,286,000 shall be
9 for capital advances, including amendments to capital ad-
10 vance contracts, for housing for the elderly, as authorized
11 by section 202 of the Housing Act of 1959, as amended,
12 and for project rental assistance for the elderly under such
13 section 202(c)(2), including amendments to contracts for
14 such assistance and renewal of expiring contracts for such
15 assistance for up to a 1-year term, and for supportive serv-
16 ices associated with the housing, of which amount
17 \$49,890,000 shall be for service coordinators and the con-
18 tinuation of existing congregate service grants for resi-
19 dents of assisted housing projects, and of which amount
20 \$49,890,000 shall be for grants under section 202b of the
21 Housing Act of 1959 (12 U.S.C. 1701q-2) for conversion
22 of eligible projects under such section to assisted living
23 or related use: *Provided further*, That of the amount under
24 this heading, \$240,865,000 shall be for capital advances,
25 including amendments to capital advance contracts, for
26 supportive housing for persons with disabilities, as author-

1 ized by section 811 of the Cranston-Gonzalez National Af-
2 fordable Housing Act, for project rental assistance for
3 supportive housing for persons with disabilities under such
4 section 811(d)(2), including amendments to contracts for
5 such assistance and renewal of expiring contracts for such
6 assistance for up to a 1-year term, and for supportive serv-
7 ices associated with the housing for persons with disabil-
8 ities as authorized by section 811 of such Act, and for
9 tenant-based rental assistance contracts entered into pur-
10 suant to section 811 of such Act: *Provided further*, That
11 no less than \$1,000,000, to be divided evenly between the
12 appropriations for the section 202 and section 811 pro-
13 grams, shall be transferred to the Working Capital Fund
14 for the development and maintenance of information tech-
15 nology systems: *Provided further*, That, in addition to
16 amounts made available for renewal of tenant-based rental
17 assistance contracts pursuant to the second proviso of this
18 paragraph, the Secretary may designate up to 25 percent
19 of the amounts earmarked under this paragraph for sec-
20 tion 811 of such Act for tenant-based assistance, as au-
21 thorized under that section, including such authority as
22 may be waived under the next proviso, which assistance
23 is 5 years in duration: *Provided further*, That the Sec-
24 retary may waive any provision of such section 202 and
25 such section 811 (including the provisions governing the

1 terms and conditions of project rental assistance and ten-
2 ant-based assistance) that the Secretary determines is not
3 necessary to achieve the objectives of these programs, or
4 that otherwise impedes the ability to develop, operate, or
5 administer projects assisted under these programs, and
6 may make provision for alternative conditions or terms
7 where appropriate.

8 FLEXIBLE SUBSIDY FUND

9 (TRANSFER OF FUNDS)

10 From the Rental Housing Assistance Fund, all un-
11 committed balances of excess rental charges as of Sep-
12 tember 30, 2001, and any collections made during fiscal
13 year 2002, shall be transferred to the Flexible Subsidy
14 Fund, as authorized by section 236(g) of the National
15 Housing Act, as amended.

16 MANUFACTURED HOUSING FEES TRUST FUND

17 For necessary expenses as authorized by the National
18 Manufactured Housing Construction and Safety Stand-
19 ards Act of 1974, as amended (42 U.S.C. 5401 et seq.),
20 \$13,566,000, to remain available until expended, to be de-
21 rived from the Manufactured Housing Fees Trust Fund:
22 *Provided*, That the total amount appropriated under this
23 heading shall be available from the general fund of the
24 Treasury to the extent necessary to incur obligations and
25 make expenditures pending the receipt of collections to the
26 Fund pursuant to section 620 of such Act: *Provided fur-*

1 *ther*, That the amount made available under this heading
2 from the general fund shall be reduced as such collections
3 are received during fiscal year 2002 so as to result in a
4 final fiscal year 2002 appropriation from the general fund
5 estimated at not more than \$0 and fees pursuant to such
6 section 620 shall be modified as necessary to ensure such
7 a final fiscal year 2002 appropriation.

8 FEDERAL HOUSING ADMINISTRATION

9 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

10 (INCLUDING TRANSFERS OF FUNDS)

11 During fiscal year 2002, commitments to guarantee
12 loans to carry out the purposes of section 203(b) of the
13 National Housing Act, as amended, shall not exceed a loan
14 principal of \$160,000,000,000.

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

23 For administrative expenses necessary to carry out
24 the guaranteed and direct loan program, \$330,888,000,
25 of which not to exceed \$326,866,000 shall be transferred
26 to the appropriation for “Salaries and expenses”; and not

1 to exceed \$4,022,000 shall be transferred to the appro-
2 priation for “Office of Inspector General”. In addition, for
3 administrative contract expenses, \$145,000,000, of which
4 not less than \$96,500,000 shall be transferred to the
5 Working Capital Fund for the development and mainte-
6 nance of information technology systems.

7 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT
8 (INCLUDING TRANSFERS OF FUNDS)

9 For the cost of guaranteed loans, as authorized by
10 sections 238 and 519 of the National Housing Act (12
11 U.S.C. 1715z-3 and 1735c), including the cost of loan
12 guarantee modifications as that term is defined in section
13 502 of the Congressional Budget Act of 1974, as amend-
14 ed, \$15,000,000, to remain available until expended: *Pro-*
15 *vided*, That these funds are available to subsidize total
16 loan principal, any part of which is to be guaranteed, of
17 up to \$21,000,000,000: *Provided further*, That any
18 amounts made available in any prior appropriations Act
19 for the cost (as such term is defined in section 502 of
20 the Congressional Budget Act of 1974) of guaranteed
21 loans that are obligations of the funds established under
22 section 238 or 519 of the National Housing Act that have
23 not been obligated or that are deobligated shall be avail-
24 able to the Secretary of Housing and Urban Development
25 in connection with the making of such guarantees and
26 shall remain available until expended, notwithstanding the

1 expiration of any period of availability otherwise applicable
2 to such amounts.

3 Gross obligations for the principal amount of direct
4 loans, as authorized by sections 204(g), 207(l), 238, and
5 519(a) of the National Housing Act, shall not exceed
6 \$50,000,000, of which not to exceed \$30,000,000 shall be
7 for bridge financing in connection with the sale of multi-
8 family real properties owned by the Secretary and for-
9 merly insured under such Act; and of which not to exceed
10 \$20,000,000 shall be for loans to nonprofit and govern-
11 mental entities in connection with the sale of single-family
12 real properties owned by the Secretary and formerly in-
13 sured under such Act.

14 In addition, for administrative expenses necessary to
15 carry out the guaranteed and direct loan programs,
16 \$211,455,000, of which \$193,134,000, shall be trans-
17 ferred to the appropriation for “Salaries and expenses”;
18 and of which \$18,321,000 shall be transferred to the ap-
19 propriation for “Office of Inspector General”. In addition,
20 for administrative contract expenses necessary to carry
21 out the guaranteed and direct loan programs,
22 \$139,000,000, of which no less than \$33,500,000 shall be
23 transferred to the Working Capital Fund for the develop-
24 ment and maintenance of information technology systems.

1 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

2 (GNMA)

3 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN

4 GUARANTEE PROGRAM ACCOUNT

5 (INCLUDING TRANSFER OF FUNDS)

6 New commitments to issue guarantees to carry out
7 the purposes of section 306 of the National Housing Act,
8 as amended (12 U.S.C. 1721(g)), shall not exceed
9 \$200,000,000,000, to remain available until September
10 30, 2003.

11 For administrative expenses necessary to carry out
12 the guaranteed mortgage-backed securities program,
13 \$9,383,000 to be derived from the GNMA guarantees of
14 mortgage-backed securities guaranteed loan receipt ac-
15 count, of which not to exceed \$9,383,000 shall be trans-
16 ferred to the appropriation for “Salaries and expenses”.

17 POLICY DEVELOPMENT AND RESEARCH

18 RESEARCH AND TECHNOLOGY

19 For contracts, grants, and necessary expenses of pro-
20 grams of research and studies relating to housing and
21 urban problems, not otherwise provided for, as authorized
22 by title V of the Housing and Urban Development Act
23 of 1970, as amended (12 U.S.C. 1701z-1 et seq.), includ-
24 ing carrying out the functions of the Secretary under sec-
25 tion 1(a)(1)(i) of Reorganization Plan No. 2 of 1968,
26 \$46,900,000, to remain available until September 30,

1 2003: *Provided*, That \$1,500,000 shall be for necessary
2 expenses of the Millennial Housing Commission, as au-
3 thorized by section 206 of Public Law 106-74: *Provided*
4 *further*, That of the total amount provided under this
5 heading, \$7,500,000 shall be for the Partnership for Ad-
6 vancing Technology in Housing (PATH) Initiative.

7 FAIR HOUSING AND EQUAL OPPORTUNITY

8 FAIR HOUSING ACTIVITIES

9 For contracts, grants, and other assistance, not oth-
10 erwise provided for, as authorized by title VIII of the Civil
11 Rights Act of 1968, as amended by the Fair Housing
12 Amendments Act of 1988, and section 561 of the Housing
13 and Community Development Act of 1987, as amended,
14 \$45,899,000, to remain available until September 30,
15 2003, of which \$19,449,000 shall be to carry out activities
16 pursuant to such section 561: *Provided*, That no funds
17 made available under this heading shall be used to lobby
18 the executive or legislative branches of the Federal Gov-
19 ernment in connection with a specific contract, grant or
20 loan.

21 OFFICE OF LEAD HAZARD CONTROL

22 LEAD HAZARD REDUCTION

23 For the Lead Hazard Reduction Program, as author-
24 ized by sections 1011 and 1053 of the Residential Lead-
25 Based Hazard Reduction Act of 1992, \$109,758,000 to

1 remain available until September 30, 2003, of which
2 \$10,000,000 shall be for the Healthy Homes Initiative,
3 pursuant to sections 501 and 502 of the Housing and
4 Urban Development Act of 1970 that shall include re-
5 search, studies, testing, and demonstration efforts, includ-
6 ing education and outreach concerning lead-based paint
7 poisoning and other housing-related environmental child-
8 hood diseases and hazards.

9 MANAGEMENT AND ADMINISTRATION

10 SALARIES AND EXPENSES

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary administrative and non-administrative
13 expenses of the Department of Housing and Urban Devel-
14 opment, not otherwise provided for, including not to ex-
15 ceed \$7,000 for official reception and representation ex-
16 penses, \$1,086,800,000 (reduced by \$10,000,000), of
17 which \$520,000,000 shall be provided from the various
18 funds of the Federal Housing Administration, \$9,383,000
19 shall be provided from funds of the Government National
20 Mortgage Association, \$1,000,000 shall be provided from
21 the “Community development fund” account, \$150,000
22 shall be provided by transfer from the “Title VI Indian
23 federal guarantees program” account, and \$200,000 shall
24 be provided by transfer from the “Indian housing loan
25 guarantee fund program” account: *Provided*, That no less
26 than \$85,000,000 shall be transferred to the Working

1 Capital Fund for the development and maintenance of In-
2 formation Technology Systems: *Provided further*, That the
3 Secretary shall fill 7 out of 10 vacancies at the GS-14
4 and GS-15 levels until the total number of GS-14 and
5 GS-15 positions in the Department has been reduced
6 from the number of GS-14 and GS-15 positions on the
7 date of enactment of Public Law 106-377 by 2½ percent:
8 *Provided further*, That the Secretary shall submit a staff-
9 ing plan for the Department by November 1, 2001.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General in carrying out the Inspector General Act of 1978,
13 as amended, \$93,898,000, of which \$22,343,000 shall be
14 provided from the various funds of the Federal Housing
15 Administration and \$10,000,000 shall be provided from
16 the amount earmarked for Operation Safe Home in the
17 appropriation for the “Public housing operating fund”:
18 *Provided*, That the Inspector General shall have inde-
19 pendent authority over all personnel issues within the Of-
20 fice of Inspector General.

21 CONSOLIDATED FEE FUND

22 (RESCISSION)

23 Of the balances remaining available from fees and
24 charges under section 7(j) of the Department of Housing
25 and Urban Development Act, \$6,700,000 is rescinded.

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

4 For carrying out the Federal Housing Enterprise Fi-
5 nancial Safety and Soundness Act of 1992, including not
6 to exceed \$500 for official reception and representation
7 expenses, \$23,000,000, to remain available until ex-
8 pended, to be derived from the Federal Housing Enter-
9 prise Oversight Fund: *Provided*, That not to exceed such
10 amount shall be available from the general fund of the
11 Treasury to the extent necessary to incur obligations and
12 make expenditures pending the receipt of collections to the
13 Fund: *Provided further*, That the general fund amount
14 shall be reduced as collections are received during the fis-
15 cal year so as to result in a final appropriation from the
16 general fund estimated at not more than \$0.

17 ADMINISTRATIVE PROVISIONS

18 SEC. 201. Fifty percent of the amounts of budget au-
19 thority, or in lieu thereof 50 percent of the cash amounts
20 associated with such budget authority, that are recaptured
21 from projects described in section 1012(a) of the Stuart
22 B. McKinney Homeless Assistance Amendments Act of
23 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the
24 case of cash, shall be remitted to the Treasury, and such
25 amounts of budget authority or cash recaptured and not

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

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

19 SEC. 203. (a) Notwithstanding section 854(c)(1)(A)
20 of the AIDS Housing Opportunity Act (42 U.S.C.
21 12903(c)(1)(A)), from any amounts made available under
22 this title for fiscal year 2002 that are allocated under such
23 section, the Secretary of Housing and Urban Development
24 shall allocate and make a grant, in the amount determined
25 under subsection (b), for any State that—

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

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

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

19 SEC. 204. Section 225(a) of the Department of Vet-
20 erans Affairs and Housing and Urban Development, and
21 Independent Agencies Appropriations Act, 2000, Public
22 Law 106-74 (113 Stat. 1076), is amended by inserting
23 “and fiscal year 2002” after “fiscal year 2001”.

24 SEC. 205. Section 251 of the National Housing Act
25 (12 U.S.C. 1715z-16) is amended—

1 (1) in subsection (b), by striking “issue regula-
2 tions” and all that follows and inserting the fol-
3 lowing: “require that the mortgagee make available
4 to the mortgagor, at the time of loan application, a
5 written explanation of the features of an adjustable
6 rate mortgage consistent with the disclosure require-
7 ments applicable to variable rate mortgages secured
8 by a principal dwelling under the Truth in Lending
9 Act.”; and

10 (2) by adding the following new subsection at
11 the end:

12 “(d)(1) The Secretary may insure under this sub-
13 section a mortgage that meets the requirements of sub-
14 section (a), except that the effective rate of interest—

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

17 “(B) shall be adjusted by the mortgagee ini-
18 tially upon the expiration of such period and annu-
19 ally thereafter; and

20 “(C) in the case of the initial interest rate ad-
21 justment, is subject to the 1 percent limitation only
22 if the interest rate remained fixed for five or fewer
23 years.

1 “(2) The disclosure required under subsection (b)
2 shall be required for a mortgage insured under this sub-
3 section.”.

4 SEC. 206. (a) Section 203(e) of the National Housing
5 Act (12 U.S.C. 1709(e)) is amended—

6 (1) in paragraph (1), by striking “and (k)” and
7 “or (k)”; and

8 (2) in paragraph (2)—

9 (A) by inserting immediately after “sub-
10 section (v),” the following: “and each mortgage
11 that is insured under subsection (k) or section
12 234(c),”; and

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

15 (b) The amendments made by subsection (a) shall—

16 (1) apply only to mortgages that are executed
17 on or after the date of enactment of this Act; and

18 (2) be implemented in advance of any necessary
19 conforming changes to regulations.

20 SEC. 207. (a) During fiscal year 2002, in the provi-
21 sion of rental assistance under section 8(o) of the United
22 States Housing Act of 1937 (42 U.S.C. 1437f(o)) in con-
23 nection with a program to demonstrate the economy and
24 effectiveness of providing such assistance for use in as-
25 sisted living facilities that is carried out in the counties

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

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

15 TITLE III—INDEPENDENT AGENCIES

16 AMERICAN BATTLE MONUMENTS COMMISSION

17 SALARIES AND EXPENSES

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

1 and insurance of official motor vehicles in foreign coun-
2 tries, when required by law of such countries,
3 \$30,466,000, to remain available until expended.

4 For the partial cost of construction of a new interpre-
5 tive and visitor center at the American Cemetery in Nor-
6 mandy, France, \$5,000,000, to remain available until ex-
7 pended: *Provided*, That the Commission shall ensure that
8 the placement, scope and character of this new center pro-
9 tect the solemnity of the site and the sensitivity of inter-
10 ested parties including families of servicemen interred at
11 the cemetery, the host country and Allied forces who par-
12 ticipated in the invasion and ensuing battle: *Provided fur-*
13 *ther*, That not more than \$1,000,000 shall be for non-con-
14 struction related costs including initial consultations with
15 interested parties and the conceptual study and design of
16 the new center.

17 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD
18 SALARIES AND EXPENSES

19 For necessary expenses in carrying out activities pur-
20 suant to section 112(r)(6) of the Clean Air Act, as amend-
21 ed, including hire of passenger vehicles, uniforms or allow-
22 ances therefor, as authorized by 5 U.S.C. 5901–5902, and
23 for services authorized by 5 U.S.C. 3109, but at rates for
24 individuals not to exceed the per diem equivalent to the
25 maximum rate payable for senior level positions under 5

1 U.S.C. 5376, \$8,000,000, \$5,500,000 of which to remain
2 available until September 30, 2002 and \$2,500,000 of
3 which to remain available until September 30, 2003: *Pro-*
4 *vided*, That the Chemical Safety and Hazard Investigation
5 Board shall have not more than three career Senior Exec-
6 utive Service positions: *Provided further*, That, hereafter,
7 there shall be an Inspector General at the Board who shall
8 have the duties, responsibilities, and authorities specified
9 in the Inspector General Act of 1978, as amended: *Pro-*
10 *vided further*, That an individual appointed to the position
11 of Inspector General of the Federal Emergency Manage-
12 ment Agency (FEMA) shall, by virtue of such appoint-
13 ment, also hold the position of Inspector General of the
14 Board: *Provided further*, That the Inspector General of the
15 Board shall utilize personnel of the Office of Inspector
16 General of FEMA in performing the duties of the Inspec-
17 tor General of the Board, and shall not appoint any indi-
18 viduals to positions within the Board.

19 DEPARTMENT OF THE TREASURY

20 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

21 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

22 FUND PROGRAM ACCOUNT

23 To carry out the Community Development Banking
24 and Financial Institutions Act of 1994, including services
25 authorized by 5 U.S.C. 3109, but at rates for individuals
26 not to exceed the per diem rate equivalent to the rate for

1 ES-3, \$80,000,000, to remain available until September
2 30, 2003, of which \$500,000 shall be for technical assist-
3 ance and training programs designed to benefit Native
4 American communities, and up to \$8,948,000 may be used
5 for administrative expenses, including administration of
6 the New Markets Tax Credit, up to \$6,000,000 may be
7 used for the cost of direct loans, and up to \$1,000,000
8 may be used for administrative expenses to carry out the
9 direct loan program: *Provided*, That the cost of direct
10 loans, including the cost of modifying such loans, shall be
11 as defined in section 502 of the Congressional Budget Act
12 of 1974, as amended: *Provided further*, That these funds
13 are available to subsidize gross obligations for the prin-
14 cipal amount of direct loans not to exceed \$15,000,000.

15 CONSUMER PRODUCT SAFETY COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Consumer Product
18 Safety Commission, including hire of passenger motor ve-
19 hicles, services as authorized by 5 U.S.C. 3109, but at
20 rates for individuals not to exceed the per diem rate equiv-
21 alent to the maximum rate payable under 5 U.S.C. 5376,
22 purchase of nominal awards to recognize non-Federal offi-
23 cials' contributions to Commission activities, and not to
24 exceed \$500 for official reception and representation ex-
25 penses, \$54,200,000.

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

4 Of the funds appropriated under this heading in Pub-
5 lic Law 106–377, the Corporation for National and Com-
6 munity Service shall use such amounts of such funds as
7 may be necessary to carry out the programs, activities,
8 and initiatives under the National Community Service Act
9 of 1990 (Public Law 103–82) and the Corporation.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General in carrying out the Inspector General Act of 1978,
13 as amended, \$5,000,000, which shall be available for obli-
14 gation through September 30, 2003.

15 U.S. COURT OF APPEALS FOR VETERANS CLAIMS

16 SALARIES AND EXPENSES

17 For necessary expenses for the operation of the
18 United States Court of Appeals for Veterans Claims as
19 authorized by 38 U.S.C. 7251–7298, \$13,221,000, of
20 which \$895,000 shall be available for the purpose of pro-
21 viding financial assistance as described, and in accordance
22 with the process and reporting procedures set forth, under
23 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 \$22,537,000, 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, \$70,228,000.

20 AGENCY FOR TOXIC SUBSTANCES AND DISEASE
21 REGISTRY
22 SALARIES AND EXPENSES

23 For necessary expenses for the Agency for Toxic Sub-
24 stances and Disease Registry (ATSDR) in carrying out
25 activities set forth in sections 104(i), 111(c)(4), and

1 111(c)(14) of the Comprehensive Environmental Re-
2 sponse, Compensation, and Liability Act of 1980
3 (CERCLA), as amended; section 118(f) of the Superfund
4 Amendments and Reauthorization Act of 1986 (SARA),
5 as amended; and section 3019 of the Solid Waste Disposal
6 Act, as amended, \$78,235,000, to be derived from the
7 Hazardous Substance Superfund Trust Fund pursuant to
8 section 517(a) of SARA (26 U.S.C. 9507): *Provided*, That
9 notwithstanding any other provision of law, in lieu of per-
10 forming a health assessment under section 104(i)(6) of
11 CERCLA, the Administrator of ATSDR may conduct
12 other appropriate health studies, evaluations, or activities,
13 including, without limitation, biomedical testing, clinical
14 evaluations, medical monitoring, and referral to accredited
15 health care providers: *Provided further*, That in per-
16 forming any such health assessment or health study, eval-
17 uation, or activity, the Administrator of ATSDR shall not
18 be bound by the deadlines in section 104(i)(6)(A) of
19 CERCLA: *Provided further*, That none of the funds appro-
20 priated under this heading shall be available for ATSDR
21 to issue in excess of 40 toxicological profiles pursuant to
22 section 104(i) of CERCLA during fiscal year 2002, and
23 existing profiles may be updated as necessary.

1 ENVIRONMENTAL PROTECTION AGENCY
2 SCIENCE AND TECHNOLOGY

3 For science and technology, including research and
4 development activities, which shall include research and
5 development activities under the Comprehensive Environ-
6 mental Response, Compensation, and Liability Act of
7 1980, as amended; necessary expenses for personnel and
8 related costs and travel expenses, including uniforms, or
9 allowances therefor, as authorized by 5 U.S.C. 5901–
10 5902; services as authorized by 5 U.S.C. 3109, but at
11 rates for individuals not to exceed the per diem rate equiv-
12 alent to the maximum rate payable for senior level posi-
13 tions under 5 U.S.C. 5376; procurement of laboratory
14 equipment and supplies; other operating expenses in sup-
15 port of research and development; construction, alteration,
16 repair, rehabilitation, and renovation of facilities, not to
17 exceed \$75,000 per project, \$680,410,000, which shall re-
18 main available until September 30, 2003.

19 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

20 For environmental programs and management, in-
21 cluding necessary expenses, not otherwise provided for, for
22 personnel and related costs and travel expenses, including
23 uniforms, or allowances therefor, as authorized by 5
24 U.S.C. 5901–5902; services as authorized by 5 U.S.C.
25 3109, but at rates for individuals not to exceed the per
26 diem rate equivalent to the maximum rate payable for sen-

1 ior level positions under 5 U.S.C. 5376; hire of passenger
2 motor vehicles; hire, maintenance, and operation of air-
3 craft; purchase of reprints; library memberships in soci-
4 eties or associations which issue publications to members
5 only or at a price to members lower than to subscribers
6 who are not members; construction, alteration, repair, re-
7 habilitation, and renovation of facilities, not to exceed
8 \$75,000 per project; and not to exceed \$6,000 for official
9 reception and representation expenses, \$2,014,799,000
10 (reduced by \$7,200,000) (reduced by \$3,000,000), which
11 shall remain available until September 30, 2003.

12 OFFICE OF INSPECTOR GENERAL

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

19 BUILDINGS AND FACILITIES

20 For construction, repair, improvement, extension, al-
21 teration, and purchase of fixed equipment or facilities of,
22 or for use by, the Environmental Protection Agency,
23 \$25,318,000, to remain available until expended.

1 HAZARDOUS SUBSTANCE SUPERFUND
2 (INCLUDING TRANSFERS OF FUNDS)

3 For necessary expenses to carry out the Comprehen-
4 sive Environmental Response, Compensation, and Liabil-
5 ity Act of 1980 (CERCLA), as amended, including sec-
6 tions 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C.
7 9611), and for construction, alteration, repair, rehabilita-
8 tion, and renovation of facilities, not to exceed \$75,000
9 per project; \$1,270,000,000 (of which \$100,000,000 shall
10 not become available until September 1, 2002) to remain
11 available until expended, consisting of \$635,000,000, as
12 authorized by section 517(a) of the Superfund Amend-
13 ments and Reauthorization Act of 1986 (SARA), as
14 amended by Public Law 101–508, and \$635,000,000 as
15 a payment from general revenues to the Hazardous Sub-
16 stance Superfund for purposes as authorized by section
17 517(b) of SARA, as amended: *Provided*, That funds ap-
18 propriated under this heading may be allocated to other
19 Federal agencies in accordance with section 111(a) of
20 CERCLA: *Provided further*, That of the funds appro-
21 priated under this heading, \$11,867,000 shall be trans-
22 ferred to the “Office of Inspector General” appropriation
23 to remain available until September 30, 2003, and
24 \$36,891,000 shall be transferred to the “Science and tech-
25 nology” appropriation to remain available until September
26 30, 2003.

1 LEAKING UNDERGROUND STORAGE TANK TRUST FUND

2 For necessary expenses to carry out leaking under-
3 ground storage tank cleanup activities authorized by sec-
4 tion 205 of the Superfund Amendments and Reauthoriza-
5 tion Act of 1986, and for construction, alteration, repair,
6 rehabilitation, and renovation of facilities, not to exceed
7 \$75,000 per project, \$72,000,000 (increased by
8 \$7,200,000), to remain available until expended.

9 OIL SPILL RESPONSE

10 For expenses necessary to carry out the Environ-
11 mental Protection Agency's responsibilities under the Oil
12 Pollution Act of 1990, \$15,000,000, to be derived from
13 the Oil Spill Liability trust fund, to remain available until
14 expended.

15 STATE AND TRIBAL ASSISTANCE GRANTS

16 For environmental programs and infrastructure as-
17 sistance, including capitalization grants for State revolv-
18 ing funds and performance partnership grants,
19 \$3,433,899,000 (increased by \$3,000,000), to remain
20 available until expended, of which \$1,200,000,000 shall be
21 for making capitalization grants for the Clean Water State
22 Revolving Funds under title VI of the Federal Water Pol-
23 lution Control Act, as amended (the "Act"); \$850,000,000
24 shall be for capitalization grants for the Drinking Water
25 State Revolving Funds under section 1452 of the Safe
26 Drinking Water Act, as amended; \$75,000,000 shall be

1 for architectural, engineering, planning, design, construc-
2 tion and related activities in connection with the construc-
3 tion of high priority water and wastewater facilities in the
4 area of the United States-Mexico Border, after consulta-
5 tion with the appropriate border commission; \$30,000,000
6 shall be for grants to the State of Alaska to address drink-
7 ing water and wastewater infrastructure needs of rural
8 and Alaska Native Villages; \$200,000,000 shall be for
9 making grants for the construction of wastewater and
10 water treatment facilities and groundwater protection in-
11 frastructure in accordance with the terms and conditions
12 specified for such grants in the report accompanying this
13 Act; and \$1,078,899,000 (increased by \$3,000,000) shall
14 be for grants, including associated program support costs,
15 to States, federally recognized tribes, interstate agencies,
16 tribal consortia, and air pollution control agencies for
17 multi-media or single media pollution prevention, control
18 and abatement and related activities, including activities
19 pursuant to the provisions set forth under this heading
20 in Public Law 104–134, and for making grants under sec-
21 tion 103 of the Clean Air Act for particulate matter moni-
22 toring and data collection activities of which and subject
23 to terms and conditions specified by the Administrator,
24 \$25,000,000 shall be for making grants for enforcement
25 and related activities (in addition to other grants funded

1 under this heading), and \$25,000,000 shall be for Envi-
2 ronmental Information Exchange Network grants, includ-
3 ing associated program support costs: *Provided*, That for
4 fiscal year 2002 and hereafter, State authority under sec-
5 tion 302(a) of Public Law 104–182 shall remain in effect:
6 *Provided further*, That notwithstanding section 603(d)(7)
7 of the Act, the limitation on the amounts in a State water
8 pollution control revolving fund that may be used by a
9 State to administer the fund shall not apply to amounts
10 included as principal in loans made by such fund in fiscal
11 year 2002 and prior years where such amounts represent
12 costs of administering the fund to the extent that such
13 amounts are or were deemed reasonable by the Adminis-
14 trator, accounted for separately from other assets in the
15 fund, and used for eligible purposes of the fund, including
16 administration: *Provided further*, That for fiscal year
17 2002, and notwithstanding section 518(f) of the Act, the
18 Administrator is authorized to use the amounts appro-
19 priated for any fiscal year under section 319 of that Act
20 to make grants to Indian tribes pursuant to section 319(h)
21 and 518(e) of that Act: *Provided further*, That for fiscal
22 year 2002, notwithstanding the limitation on amounts in
23 section 518(c) of the Act, up to a total of 1½ percent
24 of the funds appropriated for State Revolving Funds
25 under title VI of the Act may be reserved by the Adminis-

1 trator for grants under section 518(c) of such Act: *Pro-*
2 *vided further*, That no funds provided by this legislation
3 to address the water, wastewater and other critical infra-
4 structure needs of the colonias in the United States along
5 the United States-Mexico border shall be made available
6 to a county or municipal government unless that govern-
7 ment has established an enforceable local ordinance, or
8 other zoning rule, which prevents in that jurisdiction the
9 development or construction of any additional colonia
10 areas, or the development within an existing colonia the
11 construction of any new home, business, or other structure
12 which lacks water, wastewater, or other necessary infra-
13 structure.

14 ADMINISTRATIVE PROVISIONS

15 For fiscal year 2002, notwithstanding 31 U.S.C.
16 6303(1) and 6305(1), the Administrator of the Environ-
17 mental Protection Agency, in carrying out the Agency's
18 function to implement directly Federal environmental pro-
19 grams required or authorized by law in the absence of an
20 acceptable tribal program, may award cooperative agree-
21 ments to federally-recognized Indian Tribes or Intertribal
22 consortia, if authorized by their member Tribes, to assist
23 the Administrator in implementing Federal environmental
24 programs for Indian Tribes required or authorized by law,
25 except that no such cooperative agreements may be award-

1 ed from funds designated for State financial assistance
2 agreements.

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

4 (1) in subsection (i)(5)(C)(i) by striking
5 “\$14,000,000” and inserting “\$20,000,000”; and,
6 by striking “each” and inserting “2002” after “fis-
7 cal year”;

8 (2) in subsection (i)(5)(H) by striking “2001”
9 and inserting “2002”;

10 (3) in subsection (i)(6) by striking “2001” and
11 inserting “2002”; and

12 (4) in subsection (k)(3)(A) by striking “2001”
13 and inserting “2002”; and, by striking “ $\frac{1}{7}$ ” and in-
14 serting “ $\frac{1}{10}$ ”.

15 EXECUTIVE OFFICE OF THE PRESIDENT

16 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

17 For necessary expenses of the Office of Science and
18 Technology Policy, in carrying out the purposes of the Na-
19 tional Science and Technology Policy, Organization, and
20 Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire
21 of passenger motor vehicles, and services as authorized by
22 5 U.S.C. 3109, not to exceed \$2,500 for official reception
23 and representation expenses, and rental of conference
24 rooms in the District of Columbia, \$5,267,000.

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, \$2,974,000: *Provided*, That notwithstanding
9 section 202 of the National Environmental Policy Act of
10 1970, the Council shall consist of one member, appointed
11 by the President, by and with the advice and consent of
12 the Senate, serving as chairman and exercising all powers,
13 functions, and duties of the Council.

14 FEDERAL DEPOSIT INSURANCE CORPORATION
15 OFFICE OF INSPECTOR GENERAL

16 For necessary expenses of the Office of Inspector
17 General in carrying out the provisions of the Inspector
18 General Act of 1978, as amended, \$33,660,000, to be de-
19 rived from the Bank Insurance Fund, the Savings Asso-
20 ciation Insurance Fund, and the FSLIC Resolution Fund.

21 FEDERAL EMERGENCY MANAGEMENT AGENCY
22 DISASTER RELIEF
23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses in carrying out the Robert
25 T. Stafford Disaster Relief and Emergency Assistance Act
26 (42 U.S.C. 5121 et seq.), \$1,369,399,000, and, notwith-

1 standing 42 U.S.C. 5203, to remain available until ex-
2 pended, of which not to exceed \$2,900,000 may be trans-
3 ferred to “Emergency management planning and assist-
4 ance” for the consolidated emergency management per-
5 formance grant program; up to \$15,000,000 may be obli-
6 gated for flood map modernization activities following dis-
7 aster declarations; and \$21,577,000 may be used by the
8 Office of Inspector General for audits and investigations.

9 In addition, for the purposes under this heading,
10 \$1,300,000,000: *Provided*, That such amount is des-
11 ignated by the Congress as an emergency requirement
12 pursuant to section 251(b)(2)(A) of the Balanced Budget
13 and Emergency Deficit Control Act of 1985: *Provided fur-*
14 *ther*, That such amount shall be available only to the ex-
15 tent that an official budget request, that includes designa-
16 tion of the entire amount of the request as an emergency
17 requirement as defined in the Balanced Budget and Emer-
18 gency Deficit Control Act of 1985, is transmitted by the
19 President to the Congress.

20 DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

21 For the cost of direct loans, \$405,000, as authorized
22 by section 319 of the Robert T. Stafford Disaster Relief
23 and Emergency Assistance Act: *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 gross obligations for the principal
2 amount of direct loans not to exceed \$25,000,000. In addi-
3 tion, for administrative expenses to carry out the direct
4 loan program, \$543,000.

5 SALARIES AND EXPENSES

6 For necessary expenses, not otherwise provided for,
7 including hire and purchase of motor vehicles as author-
8 ized by 31 U.S.C. 1343; uniforms, or allowances therefor,
9 as authorized by 5 U.S.C. 5901–5902; services as author-
10 ized by 5 U.S.C. 3109, but at rates for individuals not
11 to exceed the per diem rate equivalent to the maximum
12 rate payable for senior level positions under 5 U.S.C.
13 5376; expenses of attendance of cooperating officials and
14 individuals at meetings concerned with the work of emer-
15 gency preparedness; transportation in connection with the
16 continuity of Government programs to the same extent
17 and in the same manner as permitted the Secretary of
18 a Military Department under 10 U.S.C. 2632; and not to
19 exceed \$2,500 for official reception and representation ex-
20 penses, \$227,900,000.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector
23 General in carrying out the Inspector General Act of 1978,
24 as amended, \$10,303,000: *Provided*, That notwith-
25 standing any other provision of law, the Inspector General
26 of the Federal Emergency Management Agency shall also

1 serve as the Inspector General of the Chemical Safety and
2 Hazard Investigation Board.

3 EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

4 For necessary expenses, not otherwise provided for,
5 to carry out activities under the National Flood Insurance
6 Act of 1968, as amended, and the Flood Disaster Protec-
7 tion Act of 1973, as amended (42 U.S.C. 4001 et seq.),
8 the Robert T. Stafford Disaster Relief and Emergency As-
9 sistance Act (42 U.S.C. 5121 et seq.), the Earthquake
10 Hazards Reduction Act of 1977, as amended (42 U.S.C.
11 7701 et seq.), the Federal Fire Prevention and Control
12 Act of 1974, as amended (15 U.S.C. 2201 et seq.), the
13 Defense Production Act of 1950, as amended (50 U.S.C.
14 App. 2061 et seq.), sections 107 and 303 of the National
15 Security Act of 1947, as amended (50 U.S.C. 404–405),
16 and Reorganization Plan No. 3 of 1978, \$404,623,000.

17 RADIOLOGICAL EMERGENCY PREPAREDNESS FUND

18 The aggregate charges assessed during fiscal year
19 2002, as authorized by Public Law 106–377, shall not be
20 less than 100 percent of the amounts anticipated by
21 FEMA necessary for its radiological emergency prepared-
22 ness program for the next fiscal year. The methodology
23 for assessment and collection of fees shall be fair and equi-
24 table; and shall reflect costs of providing such services,
25 including administrative costs of collecting such fees. Fees
26 received pursuant to this section shall be deposited in the

1 Fund as offsetting collections and will become available
2 for authorized purposes on October 1, 2002, and remain
3 available until expended.

4 EMERGENCY FOOD AND SHELTER PROGRAM

5 To carry out an emergency food and shelter program
6 pursuant to title III of Public Law 100–77, as amended,
7 \$140,000,000, to remain available until expended: *Pro-*
8 *vided*, That total administrative costs shall not exceed 3½
9 percent of the total appropriation.

10 NATIONAL FLOOD INSURANCE FUND

11 (INCLUDING TRANSFER OF FUNDS)

12 For activities under the National Flood Insurance
13 Act of 1968 (“the Act”), the Flood Disaster Protection
14 Act of 1973, as amended, not to exceed \$28,798,000 for
15 salaries and expenses associated with flood mitigation and
16 flood insurance operations, and not to exceed \$76,381,000
17 for flood mitigation, including up to \$20,000,000 for ex-
18 penses under section 1366 of the Act, which amount shall
19 be available for transfer to the National Flood Mitigation
20 Fund until September 30, 2003. In fiscal year 2002, no
21 funds in excess of: (1) \$55,000,000 for operating ex-
22 penses; (2) \$536,750,000 for agents’ commissions and
23 taxes; and (3) \$30,000,000 for interest on Treasury bor-
24 rowings shall be available from the National Flood Insur-
25 ance Fund without prior notice to the Committees on Ap-
26 propriations.

1 In addition, up to \$7,000,000 in fees collected but
2 unexpended during fiscal years 2000 through 2001 shall
3 be transferred to the Flood Map Modernization Fund and
4 available for expenditure in fiscal year 2002.

5 Section 1309(a)(2) of the Act (42 U.S.C.
6 4016(a)(2)), as amended, is further amended by striking
7 “2001” and inserting “2002”.

8 Section 1319 of the Act, as amended (42 U.S.C.
9 4026), is amended by striking “after” and all that follows
10 and inserting “after September 30, 2001.”.

11 Section 1336(a) of the Act, as amended (42 U.S.C.
12 4056(a)), is amended by striking “ending” and all that
13 follows through the second comma thereafter and inserting
14 “ending September 30, 2001.”.

15 Section 1376(c) of the Act, as amended (42 U.S.C.
16 4127(c)), is amended by striking “December 31, 2001”
17 and inserting “December 31, 2002”.

18 NATIONAL FLOOD MITIGATION FUND

19 Notwithstanding sections 1366(b)(3)(B)–(C) and
20 1366(f) of the National Flood Insurance Act of 1968, as
21 amended, \$20,000,000, to remain available until Sep-
22 tember 30, 2003, for activities designed to reduce the risk
23 of flood damage to structures pursuant to such Act, of
24 which \$20,000,000 shall be derived from the National
25 Flood Insurance Fund. Of the amount provided,
26 \$2,500,000 is to be used for the purchase of flood-prone

1 properties in the city of Austin, Minnesota, and any cost-
2 share is waived.

3 GENERAL SERVICES ADMINISTRATION

4 FEDERAL CONSUMER INFORMATION CENTER FUND

5 For necessary expenses of the Federal Consumer In-
6 formation Center, including services authorized by 5
7 U.S.C. 3109, \$7,276,000, to be deposited into the Federal
8 Consumer Information Center Fund: *Provided*, That the
9 appropriations, revenues, and collections deposited into
10 the Fund shall be available for necessary expenses of Fed-
11 eral Consumer Information Center activities in the aggre-
12 gate amount of \$12,000,000. Appropriations, revenues,
13 and collections accruing to this Fund during fiscal year
14 2002 in excess of \$12,000,000 shall remain in the Fund
15 and shall not be available for expenditure except as au-
16 thorized in appropriations Acts: *Provided further*, That the
17 Federal Consumer Information Center (FCIC) may not
18 undertake any action that affects its organization, admin-
19 istrative location, or in any way alters its current function
20 or mission mandate without first submitting a proposal
21 to the Committees on Appropriations for approval: *Pro-*
22 *vided further*, That such proposal shall include the jus-
23 tification for such action, a description of all planned orga-
24 nizational realignments, the anticipated staffing or per-
25 sonnel changes, an assessment of the effect on the current

1 operations of FCIC, and estimates of the proposed
2 changes on future funding needs.

3 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

4 HUMAN SPACE FLIGHT

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses, not otherwise provided for,
7 in the conduct and support of human space flight research
8 and development activities, including research, develop-
9 ment, operations, support and services; maintenance; con-
10 struction of facilities including repair, rehabilitation, revi-
11 talization and modification of facilities, construction of
12 new facilities and additions to existing facilities, facility
13 planning and design, environmental compliance and res-
14 toration, and acquisition or condemnation of real property,
15 as authorized by law; space flight, spacecraft control and
16 communications activities including operations, produc-
17 tion, and services; program management; personnel and
18 related costs, including uniforms or allowances therefor,
19 as authorized by 5 U.S.C. 5901–5902; travel expenses;
20 purchase and hire of passenger motor vehicles; not to ex-
21 ceed \$20,000 for official reception and representation ex-
22 penses; and purchase, lease, charter, maintenance and op-
23 eration of mission and administrative aircraft,
24 \$7,047,400,000, to remain available until September 30,
25 2003, of which amounts as determined by the Adminis-
26 trator for salaries and benefits; training, travel and

1 awards; facility and related costs; information technology
2 services; science, engineering, fabricating and testing serv-
3 ices; and other administrative services may be transferred
4 to the Science, Aeronautics and Technology account in ac-
5 cordance with section 312(b) of the National Aeronautics
6 and Space Act of 1958, as amended by Public Law 106-
7 377.

8 For an additional amount for “Human space flight”,
9 for the development of a crew return vehicle with capacity
10 for no less than six persons, for use with the international
11 space station, \$275,000,000, to remain available until
12 September 30, 2005: *Provided*, That none of the funds
13 provided under this paragraph may be obligated prior to
14 August 1, 2002: *Provided further*, That the funds made
15 available under this paragraph shall be rescinded on July
16 15, 2002, unless the President requests at least
17 \$200,000,000 in the fiscal year 2003 budget request for
18 the National Aeronautics and Space Administration for
19 continuation of the crew return vehicle program.

20 SCIENCE, AERONAUTICS AND TECHNOLOGY

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses, not otherwise provided for,
23 in the conduct and support of science, aeronautics and
24 technology research and development activities, including
25 research, development, operations, support and services;
26 maintenance; construction of facilities including repair, re-

1 habilitation, revitalization, and modification of facilities,
2 construction of new facilities and additions to existing fa-
3 cilities, facility planning and design, environmental com-
4 pliance and restoration, and acquisition or condemnation
5 of real property, as authorized by law; space flight, space-
6 craft control and communications activities including oper-
7 ations, production, and services; program management;
8 personnel and related costs, including uniforms or allow-
9 ances therefor, as authorized by 5 U.S.C. 5901–5902;
10 travel expenses; purchase and hire of passenger motor ve-
11 hicles; not to exceed \$20,000 for official reception and rep-
12 resentation expenses; and purchase, lease, charter, mainte-
13 nance and operation of mission and administrative air-
14 craft, \$7,605,300,000, to remain available until Sep-
15 tember 30, 2003, of which amounts as determined by the
16 Administrator for salaries and benefits; training, travel
17 and awards; facility and related costs; information tech-
18 nology services; science, engineering, fabricating and test-
19 ing services; and other administrative services may be
20 transferred to the Human Space Flight account in accord-
21 ance with section 312(b) of the National Aeronautics and
22 Space Act of 1958, as amended by Public Law 106–377.

23 OFFICE OF INSPECTOR GENERAL

24 For necessary expenses of the Office of Inspector
25 General in carrying out the Inspector General Act of 1978,
26 as amended, \$23,700,000.

1 ADMINISTRATIVE PROVISIONS

2 Notwithstanding the limitation on the availability of
3 funds appropriated for “Human space flight”, or
4 “Science, aeronautics and technology” by this appropria-
5 tions Act, when any activity has been initiated by the in-
6 currence of obligations for construction of facilities as au-
7 thorized by law, such amount available for such activity
8 shall remain available until expended. This provision does
9 not apply to the amounts appropriated for institutional
10 minor revitalization and construction of facilities, and in-
11 stitutional facility planning and design.

12 Notwithstanding the limitation on the availability of
13 funds appropriated for “Human space flight”, or
14 “Science, aeronautics and technology” by this appropria-
15 tions Act, the amounts appropriated for construction of
16 facilities shall remain available until September 30, 2004.

17 Notwithstanding the limitation on the availability of
18 funds appropriated for “Office of Inspector General”,
19 amounts made available by this Act for personnel and re-
20 lated costs and travel expenses of the National Aero-
21 nautics and Space Administration shall remain available
22 until September 30, 2002 and may be used to enter into
23 contracts for training, investigations, costs associated with
24 personnel relocation, and for other services, to be provided
25 during the next fiscal year. Funds for announced prizes

1 otherwise authorized shall remain available, without fiscal
2 year limitation, until the prize is claimed or the offer is
3 withdrawn.

4 No funds in this or any other Appropriations Act may
5 be used to finalize an agreement prior to December 1,
6 2002 between NASA and a nongovernment organization
7 to conduct research utilization and commercialization
8 management activities of the International Space Station.

9 NATIONAL CREDIT UNION ADMINISTRATION

10 CENTRAL LIQUIDITY FACILITY

11 (INCLUDING TRANSFER OF FUNDS)

12 During fiscal year 2002, gross obligations of the Cen-
13 tral Liquidity Facility for the principal amount of new di-
14 rect loans to member credit unions, as authorized by 12
15 U.S.C. 1795 et seq., shall not exceed \$1,500,000,000: *Pro-*
16 *vided*, That administrative expenses of the Central Liquid-
17 ity Facility shall not exceed \$309,000: *Provided further*,
18 That \$1,000,000 shall be transferred to the Community
19 Development Revolving Loan Fund.

20 NATIONAL SCIENCE FOUNDATION

21 RESEARCH AND RELATED ACTIVITIES

22 For necessary expenses in carrying out the National
23 Science Foundation Act of 1950, as amended (42 U.S.C.
24 1861–1875), and the Act to establish a National Medal
25 of Science (42 U.S.C. 1880–1881); services as authorized
26 by 5 U.S.C. 3109; authorized travel; maintenance and op-

1 eration of aircraft and purchase of flight services for re-
2 search support; acquisition of aircraft; \$3,642,340,000, of
3 which not to exceed \$306,230,000 shall remain available
4 until expended for Polar research and operations support,
5 and for reimbursement to other Federal agencies for oper-
6 ational and science support and logistical and other re-
7 lated activities for the United States Antarctic program;
8 the balance to remain available until September 30, 2003:
9 *Provided*, That receipts for scientific support services and
10 materials furnished by the National Research Centers and
11 other National Science Foundation supported research fa-
12 cilities may be credited to this appropriation: *Provided fur-*
13 *ther*, That to the extent that the amount appropriated is
14 less than the total amount authorized to be appropriated
15 for included program activities, all amounts, including
16 floors and ceilings, specified in the authorizing Act for
17 those program activities or their subactivities shall be re-
18 duced proportionally.

19 MAJOR RESEARCH FACILITIES CONSTRUCTION AND
20 EQUIPMENT

21 For necessary expenses of major construction
22 projects pursuant to the National Science Foundation Act
23 of 1950, as amended, including authorized travel,
24 \$135,300,000, to remain available until expended.

1 EDUCATION AND HUMAN RESOURCES

2 For necessary expenses in carrying out science and
3 engineering education and human resources programs and
4 activities pursuant to the National Science Foundation
5 Act of 1950, as amended (42 U.S.C. 1861–1875), includ-
6 ing services as authorized by 5 U.S.C. 3109, authorized
7 travel, and rental of conference rooms in the District of
8 Columbia, \$885,720,000, to remain available until Sep-
9 tember 30, 2003: *Provided*, That to the extent that the
10 amount of this appropriation is less than the total amount
11 authorized to be appropriated for included program activi-
12 ties, all amounts, including floors and ceilings, specified
13 in the authorizing Act for those program activities or their
14 subactivities shall be reduced proportionally.

15 SALARIES AND EXPENSES

16 For salaries and expenses necessary in carrying out
17 the National Science Foundation Act of 1950, as amended
18 (42 U.S.C. 1861–1875); services authorized by 5 U.S.C.
19 3109; hire of passenger motor vehicles; not to exceed
20 \$9,000 for official reception and representation expenses;
21 uniforms or allowances therefor, as authorized by 5 U.S.C.
22 5901–5902; rental of conference rooms in the District of
23 Columbia; reimbursement of the General Services Admin-
24 istration for security guard services; \$170,040,000: *Pro-*
25 *vided*, That contracts may be entered into under “Salaries
26 and expenses” in fiscal year 2002 for maintenance and

1 operation of facilities, and for other services, to be pro-
2 vided during the next fiscal year.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General as authorized by the Inspector General Act of
6 1978, as amended, \$6,760,000, to remain available until
7 September 30, 2003.

8 NEIGHBORHOOD REINVESTMENT CORPORATION

9 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT

10 CORPORATION

11 For payment to the Neighborhood Reinvestment Cor-
12 poration for use in neighborhood reinvestment activities,
13 as authorized by the Neighborhood Reinvestment Corpora-
14 tion Act (42 U.S.C. 8101–8107), \$105,000,000, of which
15 \$10,000,000 shall be for a homeownership program that
16 is used in conjunction with section 8 assistance under the
17 United States Housing Act of 1937, as amended.

18 SELECTIVE SERVICE SYSTEM

19 SALARIES AND EXPENSES

20 For necessary expenses of the Selective Service Sys-
21 tem, including expenses of attendance at meetings and of
22 training for uniformed personnel assigned to the Selective
23 Service System, as authorized by 5 U.S.C. 4101–4118 for
24 civilian employees; and not to exceed \$500 for official re-
25 ception and representation expenses; \$25,003,000: *Pro-*
26 *vided*, That during the current fiscal year, the President

1 may exempt this appropriation from the provisions of 31
2 U.S.C. 1341, whenever the President deems such action
3 to be necessary in the interest of national defense: *Pro-*
4 *vided further*, That none of the funds appropriated by this
5 Act may be expended for or in connection with the induc-
6 tion of any person into the Armed Forces of the United
7 States.

8 TITLE IV—GENERAL PROVISIONS

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

1 eral in connection with audits and investigations; or to
2 payments to interagency motor pools where separately set
3 forth in the budget schedules: *Provided further*, That if
4 appropriations in titles I, II, and III exceed the amounts
5 set forth in budget estimates initially submitted for such
6 appropriations, the expenditures for travel may cor-
7 respondingly exceed the amounts therefor set forth in the
8 estimates only to the extent such an increase is approved
9 by the Committees on Appropriations.

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

17 SEC. 403. Funds of the Department of Housing and
18 Urban Development subject to the Government Corpora-
19 tion Control Act or section 402 of the Housing Act of
20 1950 shall be available, without regard to the limitations
21 on administrative expenses, for legal services on a contract
22 or fee basis, and for utilizing and making payment for
23 services and facilities of the Federal National Mortgage
24 Association, Government National Mortgage Association,
25 Federal Home Loan Mortgage Corporation, Federal Fi-

1 nancing Bank, Federal Reserve banks or any member
2 thereof, Federal Home Loan banks, and any insured bank
3 within the meaning of the Federal Deposit Insurance Cor-
4 poration Act, as amended (12 U.S.C. 1811–1831).

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

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

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

12 (A) such certification is accompanied by,
13 or is part of, a voucher or abstract which de-
14 scribes the payee or payees and the items or
15 services for which such expenditure is being
16 made; or

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

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

24 SEC. 406. None of the funds provided in this Act to
25 any department or agency may be expended for the trans-

1 portation of any officer or employee of such department
2 or agency between the domicile and the place of employ-
3 ment of the officer or employee, with the exception of an
4 officer or employee authorized such transportation under
5 31 U.S.C. 1344 or 5 U.S.C. 7905.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 SEC. 419. Corporations and agencies of the Depart-
2 ment of Housing and Urban Development which are sub-
3 ject to the Government Corporation Control Act, as
4 amended, are hereby authorized to make such expendi-
5 tures, within the limits of funds and borrowing authority
6 available to each such corporation or agency and in accord
7 with law, and to make such contracts and commitments
8 without regard to fiscal year limitations as provided by
9 section 104 of such Act as may be necessary in carrying
10 out the programs set forth in the budget for 2002 for such
11 corporation or agency except as hereinafter provided: *Pro-*
12 *vided*, That collections of these corporations and agencies
13 may be used for new loan or mortgage purchase commit-
14 ments only to the extent expressly provided for in this Act
15 (unless such loans are in support of other forms of assist-
16 ance provided for in this or prior appropriations Acts), ex-
17 cept that this proviso shall not apply to the mortgage in-
18 surance or guaranty operations of these corporations, or
19 where loans or mortgage purchases are necessary to pro-
20 tect the financial interest of the United States Govern-
21 ment.

22 SEC. 420. Notwithstanding any other provision of
23 law, the term “qualified student loan” with respect to na-
24 tional service education awards shall mean any loan deter-
25 mined by an institution of higher education to be nec-

1 essary to cover a student's cost of attendance at such in-
2 stitution and made directly to a student by a state agency,
3 in addition to other meanings under section 148(b)(7) of
4 the National and Community Service Act.

5 SEC. 421. None of the funds appropriated or other-
6 wise made available by this Act shall be used to promul-
7 gate a final regulation to implement changes in the pay-
8 ment of pesticide tolerance processing fees as proposed at
9 64 Fed. Reg. 31040, or any similar proposals. The Envi-
10 ronmental Protection Agency may proceed with the devel-
11 opment of such a rule.

12 SEC. 422. The Environmental Protection Agency may
13 not use any of the funds appropriated or otherwise made
14 available by this Act to implement the Registration Fee
15 system codified at 40 Code of Federal Regulations Sub-
16 part U (sections 152.400 et seq.) if its authority to collect
17 maintenance fees pursuant to FIFRA section 4(i)(5) is ex-
18 tended for at least 1 year beyond September 30, 2001.

19 SEC. 423. Except in the case of entities that are
20 funded solely with Federal funds or any natural persons
21 that are funded under this Act, none of the funds in this
22 Act shall be used for the planning or execution of any pro-
23 gram to pay the expenses of, or otherwise compensate,
24 non-Federal parties to lobby or litigate in respect to adju-
25 dicatory proceedings funded in this Act. A chief executive

1 officer of any entity receiving funds under this Act shall
2 certify that none of these funds have been used to engage
3 in the lobbying of the Federal Government or in litigation
4 against the United States unless authorized under existing
5 law.

6 SEC. 424. No part of any funds appropriated in this
7 Act shall be used by an agency of the executive branch,
8 other than for normal and recognized executive-legislative
9 relationships, for publicity or propaganda purposes, and
10 for the preparation, distribution or use of any kit, pam-
11 phlet, booklet, publication, radio, television or film presen-
12 tation designed to support or defeat legislation pending
13 before the Congress, except in presentation to the Con-
14 gress itself.

15 SEC. 425. All Departments and agencies funded
16 under this Act are encouraged, within the limits of the
17 existing statutory authorities and funding, to expand their
18 use of “E-Commerce” technologies and procedures in the
19 conduct of their business practices and public service ac-
20 tivities.

21 SEC. 426. Section 104(n)(4) of the Cerro Grande
22 Fire Assistance Act (Public Law 106–246) is amended by
23 striking “beginning not later than the expiration of the
24 1-year period beginning on the date of the enactment of
25 this Act.” and inserting “within 120 days after the Direc-

1 tor issues the report required by subsection (n) in 2002
2 and 2003.”.

3 SEC. 427. None of the funds provided by this Act
4 may be used for the purpose of implementing any adminis-
5 trative proposal that would require military retirees to
6 make an “irrevocable choice” for any specified period of
7 time between Department of Veterans Affairs or military
8 health care under the new TRICARE for Life plan author-
9 ized in the Floyd D. Spence National Defense Authoriza-
10 tion Act for Fiscal Year 2001 (as enacted into law by Pub-
11 lic 106–398).

12 SEC. 428. None of the funds appropriated by this Act
13 may be used to delay the national primary drinking water
14 regulation for Arsenic published on January 22, 2001, in
15 the Federal Register (66 Fed. Reg. pages 6976 through
16 7066, amending parts 141 through 142 of title 40 of the
17 Code of Federal Regulations) or to propose or finalize a
18 rule to increase the levels of arsenic in drinking water per-
19 mitted under that regulation.

20 MINORITY EMERGENCY PREPAREDNESS

21 DEMONSTRATION PROGRAM

22 ESTABLISHMENT OF PROGRAM

23 SEC. 429. Subtitle B of title VI of the Robert T. Staf-
24 ford Disaster Relief and Emergency Assistance Act (42

1 U.S.C. 5197–5197g) is amended by adding at the end the
2 following:

3 **“SEC. 629. MINORITY EMERGENCY PREPAREDNESS DEM-**
4 **ONSTRATION PROGRAM.**

5 “(a) IN GENERAL.—The Director shall establish a
6 minority emergency preparedness demonstration program
7 to research and promote the capacity of minority commu-
8 nities to provide data, information, and awareness edu-
9 cation by providing grants to or executing contracts or co-
10 operative agreements with eligible nonprofit organizations
11 to establish and conduct such programs.

12 “(b) ACTIVITIES SUPPORTED.—An eligible nonprofit
13 organization may use a grant, contract, or cooperative
14 agreement awarded under this section—

15 “(1) to conduct research into the status of
16 emergency preparedness and disaster response
17 awareness in African American and Hispanic house-
18 holds located in urban, suburban, and rural commu-
19 nities, particularly in those States and regions most
20 impacted by natural and manmade disasters and
21 emergencies; and

22 “(2) to develop and promote awareness of emer-
23 gency preparedness education programs within mi-
24 nority communities, including development and prep-
25 aration of culturally competent educational and

1 awareness materials that can be used to disseminate
2 information to minority organizations and institu-
3 tions.

4 “(c) ELIGIBLE ORGANIZATIONS.—A nonprofit orga-
5 nization is eligible to be awarded a grant, contract, or co-
6 operative agreement under this section with respect to a
7 program if the organization is a nonprofit organization
8 that is described in section 501(c)(3) of the Internal Rev-
9 enue Code of 1986 (26 U.S.C. 501(c)(3)) and exempt
10 from tax under section 501(a) of such Code, whose pri-
11 mary mission is to provide services to communities pre-
12 dominately populated by minority citizens, and that can
13 demonstrate a partnership with a minority-owned business
14 enterprise or minority business located in a HUBZone (as
15 defined in section 3(p) of the Small Business Act (15
16 U.S.C. 632(p))) with respect to the program.

17 “(d) USE OF FUNDS.—A recipient of a grant, con-
18 tract, or cooperative agreement awarded under this section
19 may only use the proceeds of the grant, contract, or agree-
20 ment to—

21 “(1) acquire expert professional services nec-
22 essary to conduct research in communities predomi-
23 nately populated by minority citizens, with a primary
24 emphasis on African American and Hispanic com-
25 munities;

1 “(2) develop and prepare informational mate-
2 rials to promote awareness among minority commu-
3 nities about emergency preparedness and how to
4 protect their households and communities in advance
5 of disasters;

6 “(3) establish consortia with minority national
7 organizations, minority institutions of higher edu-
8 cation, and faith-based institutions to disseminate
9 information about emergency preparedness to minor-
10 ity communities; and

11 “(4) implement a joint project with a minority
12 serving institution, including a part B institution (as
13 defined in section 322(2) of the Higher Education
14 Act of 1965 (20 U.S.C. 1061(2))), an institution de-
15 scribed in subparagraph (A), (B), or (C) of section
16 326 of that Act (20 U.S.C. 1063b(e)(1)(A), (B), or
17 (C)), and a Hispanic-serving institution (as defined
18 in section 502(a)(5) of that Act (20 U.S.C.
19 1101a(a)(5))).

20 “(e) APPLICATION AND REVIEW PROCEDURE.—To
21 be eligible to receive a grant, contract, or cooperative
22 agreement under this section, an organization must sub-
23 mit an application to the Director at such time, in such
24 manner, and accompanied by such information as the Di-

1 rector may reasonably require. The Director shall estab-
2 lish a procedure by which to accept such applications.

3 “(f) AUTHORIZATION OF APPROPRIATION.—There is
4 authorized to be appropriated to carry out this section
5 \$1,500,000 for fiscal year 2002 and such funds as may
6 be necessary for fiscal years 2003 through 2007. Such
7 sums shall remain available until expended.”.

8 SEC. 430. None of the funds made available in this
9 Act may be used by the Department of Veterans Affairs
10 to implement any provision of the April 2001 report enti-
11 tled “Plan for the Development of a 25-Year General Use
12 Plan for Department of Veterans Affairs West Los Ange-
13 les Healthcare Center”.

14 SEC. 431. None of the funds made available by this
15 Act may be used to implement or enforce the requirement
16 under section 12(c) of the United States Housing Act of
17 1937 (42 U.S.C. 1437j(c); relating to community service).

18 SEC. 432. No funds appropriated or otherwise made
19 available under this Act shall be made available to any
20 person or entity that has been convicted of violating the
21 Buy American Act (41 U.S.C. 10a–10c).

1 This Act may be cited as the “Departments of Vet-
2 erans Affairs and Housing and Urban Development, and
3 Independent Agencies Appropriations Act, 2002”.

Passed the House of Representatives July 30, 2001.

Attest:

JEFF TRANDAHL,

Clerk.

Calendar No. 109

107TH CONGRESS
1ST SESSION

H. R. 2620

AN ACT

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes.

JULY 31, 2001

Read twice and placed on the calendar