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107TH CONGRESS
1ST SESSION

H. R. 2620

[Report No. 107-159]

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.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2001

Mr. WALSH, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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

1 Departments of Veteran Affairs and Housing and Urban
2 Development, and for sundry independent agencies,
3 boards, commissions, corporations, and offices for the fis-
4 cal year ending September 30, 2002, and for other pur-
5 poses, namely:

6 TITLE I—DEPARTMENT OF VETERANS AFFAIRS

7 VETERANS BENEFITS ADMINISTRATION

8 COMPENSATION AND PENSIONS

9 (INCLUDING TRANSFERS OF FUNDS)

10 For the payment of compensation benefits to or on
11 behalf of veterans and a pilot program for disability ex-
12 aminations as authorized by law (38 U.S.C. 107, chapters
13 11, 13, 18, 51, 53, 55, and 61); pension benefits to or
14 on behalf of veterans as authorized by law (38 U.S.C.
15 chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and bur-
16 ial benefits, emergency and other officers' retirement pay,
17 adjusted-service credits and certificates, payment of pre-
18 miums due on commercial life insurance policies guaran-
19 teed under the provisions of article IV of the Soldiers' and
20 Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 540 et
21 seq.) and for other benefits as authorized by law (38
22 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53,
23 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123;
24 45 Stat. 735; 76 Stat. 1198), \$24,944,288,000, to remain
25 available until expended: *Provided*, That not to exceed
26 \$17,940,000 of the amount appropriated under this head-

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

13 READJUSTMENT BENEFITS

14 For the payment of readjustment and rehabilitation
15 benefits to or on behalf of veterans as authorized by law
16 (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53,
17 55, and 61), \$2,135,000,000, to remain available until ex-
18 pended: *Provided*, That expenses for rehabilitation pro-
19 gram services and assistance which the Secretary is au-
20 thorized to provide under section 3104(a) of title 38,
21 United States Code, other than under subsection (a)(1),
22 (2), (5) and (11) of that section, shall be charged to this
23 account.

24 VETERANS INSURANCE AND INDEMNITIES

25 For military and naval insurance, national service life
26 insurance, servicemen’s indemnities, service-disabled vet-

1 erans insurance, and veterans mortgage life insurance as
 2 authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72
 3 Stat. 487, \$26,200,000, to remain available until ex-
 4 pended.

5 VETERANS HOUSING BENEFIT PROGRAM FUND

6 PROGRAM ACCOUNT

7 (INCLUDING TRANSFER OF FUNDS)

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

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

22 EDUCATION LOAN FUND PROGRAM ACCOUNT

23 (INCLUDING TRANSFER OF FUNDS)

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

1 as defined in section 502 of the Congressional Budget Act
2 of 1974, as amended: *Provided further*, That these funds
3 are available to subsidize gross obligations for the prin-
4 cipal amount of direct loans not to exceed \$3,400.

5 In addition, for administrative expenses necessary to
6 carry out the direct loan program, \$64,000, which may
7 be transferred to and merged with the appropriation for
8 “General operating expenses”.

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

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

19 In addition, for administrative expenses necessary to
20 carry out the direct loan program, \$274,000, which may
21 be transferred to and merged with the appropriation for
22 “General operating expenses”.

1 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
2 ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

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

9 GUARANTEED TRANSITIONAL HOUSING LOANS FOR
10 HOMELESS VETERANS PROGRAM ACCOUNT

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

17 VETERANS HEALTH ADMINISTRATION
18 MEDICAL CARE

19 For necessary expenses for the maintenance and op-
20 eration of hospitals, nursing homes, and domiciliary facili-
21 ties; for furnishing, as authorized by law, inpatient and
22 outpatient care and treatment to beneficiaries of the De-
23 partment of Veterans Affairs, including care and treat-
24 ment in facilities not under the jurisdiction of the depart-
25 ment; and furnishing recreational facilities, supplies, and

1 equipment; funeral, burial, and other expenses incidental
2 thereto for beneficiaries receiving care in the department;
3 administrative expenses in support of planning, design,
4 project management, real property acquisition and disposi-
5 tion, construction and renovation of any facility under the
6 jurisdiction or for the use of the department; oversight,
7 engineering and architectural activities not charged to
8 project cost; repairing, altering, improving or providing fa-
9 cilities in the several hospitals and homes under the juris-
10 diction of the department, not otherwise provided for, ei-
11 ther by contract or by the hire of temporary employees
12 and purchase of materials; uniforms or allowances there-
13 for, as authorized by 5 U.S.C. 5901–5902; aid to State
14 homes as authorized by 38 U.S.C. 1741; administrative
15 and legal expenses of the department for collecting and
16 recovering amounts owed the department as authorized
17 under 38 U.S.C. chapter 17, and the Federal Medical
18 Care Recovery Act, 42 U.S.C. 2651 et seq.,
19 \$21,281,587,000, plus reimbursements: *Provided*, That of
20 the funds made available under this heading,
21 \$900,000,000 is for the equipment and land and struc-
22 tures object classifications only, which amount shall not
23 become available for obligation until August 1, 2002, and
24 shall remain available until September 30, 2003: *Provided*
25 *further*, That of the funds made available under this head-

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

20 MEDICAL CARE COLLECTIONS FUND

21 (INCLUDING TRANSFER OF FUNDS)

22 Amounts deposited during the current fiscal year in
23 the Department of Veterans Affairs Medical Care Collec-
24 tions Fund under section 1729A of title 38, United States
25 Code, shall be transferred to “Medical care”, to remain
26 available until expended.

1 MEDICAL AND PROSTHETIC RESEARCH

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

7 MEDICAL ADMINISTRATION AND MISCELLANEOUS

8 OPERATING EXPENSES

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

20 DEPARTMENTAL ADMINISTRATION

21 GENERAL OPERATING EXPENSES

22 For necessary operating expenses of the Department
23 of Veterans Affairs, not otherwise provided for, including
24 administrative expenses in support of Department-wide
25 capital planning, management and policy activities, uni-
26 forms or allowances therefor; not to exceed \$25,000 for

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

21 NATIONAL CEMETERY ADMINISTRATION

22 For necessary expenses of the National Cemetery Ad-
23 ministration for operations and maintenance, not other-
24 wise provided for, including uniforms or allowances there-
25 for; cemeterial expenses as authorized by law; purchase

1 of one passenger motor vehicle for use in cemeterial oper-
2 ations; and hire of passenger motor vehicles,
3 \$121,169,000.

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the Inspector General Act of 1978,
7 as amended, \$52,308,000.

8 CONSTRUCTION, MAJOR PROJECTS

9 For constructing, altering, extending and improving
10 any of the facilities under the jurisdiction or for the use
11 of the Department of Veterans Affairs, or for any of the
12 purposes set forth in sections 316, 2404, 2406, 8102,
13 8103, 8106, 8108, 8109, 8110, and 8122 of title 38,
14 United States Code, including planning, architectural and
15 engineering services, maintenance or guarantee period
16 services costs associated with equipment guarantees pro-
17 vided under the project, services of claims analysts, offsite
18 utility and storm drainage system construction costs, and
19 site acquisition, where the estimated cost of a project is
20 \$4,000,000 or more or where funds for a project were
21 made available in a previous major project appropriation,
22 \$183,180,000, to remain available until expended, of
23 which not to exceed \$20,000,000 shall be for costs associ-
24 ated with land acquisitions for national cemeteries in the
25 vicinity of Sacramento, California; Pittsburgh, Pennsyl-
26 vania; and Detroit, Michigan: *Provided*, That except for

1 advance planning activities, including needs assessments
2 which may or may not lead to capital investments, and
3 other capital asset management related activities, such as
4 portfolio development and management activities, and in-
5 vestment strategy studies funded through the advance
6 planning fund and the planning and design activities fund-
7 ed through the design fund and CARES funds, including
8 needs assessments which may or may not lead to capital
9 investments, none of the funds appropriated under this
10 heading shall be used for any project which has not been
11 approved by the Congress in the budgetary process: *Pro-*
12 *vided further*, That funds provided in this appropriation
13 for fiscal year 2002, for each approved project shall be
14 obligated: (1) by the awarding of a construction docu-
15 ments contract by September 30, 2002; and (2) by the
16 awarding of a construction contract by September 30,
17 2003: *Provided further*, That the Secretary of Veterans Af-
18 fairs shall promptly report in writing to the Committees
19 on Appropriations any approved major construction
20 project for which obligations are not incurred within the
21 time limitations established under the preceeding proviso:
22 *Provided further*, That no funds from any other account
23 except the “Parking revolving fund”, may be obligated for
24 constructing, altering, extending, or improving a project
25 which was approved in the budget process and funded in

1 this account until one year after substantial completion
2 and beneficial occupancy by the Department of Veterans
3 Affairs of the project or any part thereof with respect to
4 that part only.

5 FACILITY REHABILITATION FUND

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

21 CONSTRUCTION, MINOR PROJECTS

22 For constructing, altering, extending, and improving
23 any of the facilities under the jurisdiction or for the use
24 of the Department of Veterans Affairs, including planning
25 and assessments of needs which may lead to capital invest-
26 ments, architectural and engineering services, mainte-

1 nance or guarantee period services costs associated with
2 equipment guarantees provided under the project, services
3 of claims analysts, offsite utility and storm drainage sys-
4 tem construction costs, and site acquisition, or for any of
5 the purposes set forth in sections 316, 2404, 2406, 8102,
6 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title
7 38, United States Code, where the estimated cost of a
8 project is less than \$4,000,000, \$178,900,000, to remain
9 available until expended, along with unobligated balances
10 of previous “Construction, minor projects” appropriations
11 which are hereby made available for any project where the
12 estimated cost is less than \$4,000,000, of which
13 \$25,000,000 shall be for Capital Asset Realignment for
14 Enhanced Services (CARES) activities: *Provided*, That
15 from amounts appropriated under this heading, additional
16 amounts may be used for CARES activities upon notifica-
17 tion of and approval by the Committees on Appropria-
18 tions: *Provided further*, That funds in this account shall
19 be available for: (1) repairs to any of the nonmedical facili-
20 ties under the jurisdiction or for the use of the department
21 which are necessary because of loss or damage caused by
22 any natural disaster or catastrophe; and (2) temporary
23 measures necessary to prevent or to minimize further loss
24 by such causes.

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

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

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

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

22 SEC. 105. Appropriations available to the Depart-
23 ment of Veterans Affairs for fiscal year 2002 for “Com-
24 pensation and pensions”, “Readjustment benefits”, and
25 “Veterans insurance and indemnities” shall be available

1 for payment of prior year accrued obligations required to
2 be recorded by law against the corresponding prior year
3 accounts within the last quarter of fiscal year 2001.

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

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

1 tion of an insurance program exceeds the amount of sur-
2 plus earnings accumulated in that program, reimburse-
3 ment shall be made only to the extent of such surplus
4 earnings: *Provided further*, That the Secretary shall deter-
5 mine the cost of administration for fiscal year 2002, which
6 is properly allocable to the provision of each insurance pro-
7 gram and to the provision of any total disability income
8 insurance included in such insurance program.

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

17 (2) The table of sections at the beginning of chapter
18 17 of such title is amended by striking the item relating
19 to section 1729B.

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

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

23 (2) by inserting after paragraph (6) the fol-
24 lowing new paragraphs:

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

1 “(8) Section 113 of the Veterans Millennium
2 Health Care and Benefits Act (Public Law 106–117;
3 38 U.S.C. 8111 note).”.

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

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

7 and

8 (B) by striking the second sentence.

9 (2) Section 8165(a)(1) of such title is amended by
10 striking “Department of Veterans Affairs Health Services
11 Improvement Fund established under section 1729B of
12 this title” and inserting “Department of Veterans Affairs
13 Medical Care Collections Fund established under section
14 1729A of this title”.

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

24 SEC. 109. Notwithstanding any other provision of
25 law, the Department of Veterans Affairs shall continue the

1 Franchise Fund pilot program authorized to be estab-
2 lished by section 403 of Public Law 103–356 until Octo-
3 ber 1, 2002: *Provided*, That the Franchise Fund, estab-
4 lished by title I of Public Law 104–204 to finance the
5 operations of the Franchise Fund pilot program, shall con-
6 tinue until October 1, 2002.

7 SEC. 110. Amounts deducted from enhanced-use
8 lease proceeds to reimburse an account for expenses in-
9 curred by that account during a prior fiscal year for pro-
10 viding enhanced-use lease services, may be obligated dur-
11 ing the fiscal year in which the proceeds are received.

12 SEC. 111. Funds available in any Department of Vet-
13 erans Affairs appropriation for fiscal year 2002 or funds
14 for salaries and other administrative expenses shall also
15 be available to reimburse the Office of Resolution Manage-
16 ment and the Office of Employment Discrimination Com-
17 plaint Adjudication for all services provided at rates which
18 will recover actual costs but not exceed \$28,555,000 for
19 the Office of Resolution Management and \$2,383,000 for
20 the Office of Employment and Discrimination Complaint
21 Adjudication: *Provided*, That payments may be made in
22 advance for services to be furnished based on estimated
23 costs: *Provided further*, that amounts received shall be
24 credited to “General operating expenses” for use by the
25 office that provided the service.

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

6 For activities and assistance to prevent the involun-
7 tary displacement of low-income families, the elderly and
8 the disabled because of the loss of affordable housing
9 stock, expiration of subsidy contracts (other than con-
10 tracts for which amounts are provided under another
11 heading in this Act) or expiration of use restrictions, or
12 other changes in housing assistance arrangements, and for
13 other purposes, \$16,334,242,000, of which \$640,000,000
14 shall be from unobligated balances from amounts recap-
15 tured from fiscal year 2000 and prior years pursuant to
16 a reduction in the amounts provided for Annual Contribu-
17 tions Contract Reserve Accounts, and amounts that are
18 recaptured in this account to remain available until ex-
19 pended: *Provided*, That not later than October 1, 2001,
20 the Department of Housing and Urban Development shall
21 reduce from sixty days to thirty days the amount of re-
22 serve funds made available to public housing authorities:
23 *Provided further*, That of the total amount provided under
24 this heading, \$16,125,241,000, of which \$11,285,241,000
25 and the aforementioned recaptures shall be available on
26 October 1, 2001 and \$4,200,000,000 shall be available on

1 October 1, 2002, shall be for assistance under the United
2 States Housing Act of 1937, as amended (“the Act” here-
3 in) (42 U.S.C. 1437): *Provided further*, That the foregoing
4 amounts shall be for use in connection with expiring or
5 terminating section 8 subsidy contracts, for amendments
6 to section 8 subsidy contracts, for enhanced vouchers (in-
7 cluding amendments and renewals) under any provision
8 of law authorizing such assistance under section 8(t) of
9 the Act (47 U.S.C. 1437f(t)), contract administrators, and
10 contracts entered into pursuant to section 441 of the
11 McKinney-Vento Homeless Assistance Act: *Provided fur-*
12 *ther*, That amounts available under the first proviso under
13 this heading shall be available for section 8 rental assist-
14 ance under the Act: (1) for the relocation and replacement
15 of housing units that are demolished or disposed of pursu-
16 ant to the Omnibus Consolidated Rescissions and Appro-
17 priations Act of 1996 (Public Law 104–134; Stat. 1321–
18 269); (2) for the conversion of section 23 projects to as-
19 sistance under section 8; (3) for funds to carry out the
20 family unification program; (4) for the relocation of wit-
21 nesses in connection with efforts to combat crime in public
22 and assisted housing pursuant to a request from a law
23 enforcement or prosecution agency; (5) for tenant protec-
24 tion assistance, including replacement and relocation as-
25 sistance; and (6) for the 1-year renewal of section 8 con-

1 tracts for units in a project that is subject to an approved
2 plan of action under the Emergency Low Income Housing
3 Preservation Act of 1987 or the Low-Income Housing
4 Preservation and Resident Homeownership Act of 1990:
5 *Provided further*, That of the total amount provided under
6 this heading, no less than \$11,000,000 shall be trans-
7 ferred to the Working Capital Fund for the development
8 and maintenance of information technology systems: *Pro-*
9 *vided further*, That of the total amount provided under
10 this heading, up to \$197,246,000 shall be made available
11 for incremental vouchers under section 8 of the Act, of
12 which \$157,334,000 shall be made available on a fair
13 share basis to those public housing agencies that have a
14 97 percent occupancy rate; and of which \$39,912,000
15 shall be made available to nonelderly disabled families af-
16 fected by the designation of a public housing development
17 under section 7 of the Act, the establishment of pref-
18 erences in accordance with section 651 of the Housing and
19 Community Development Act of 1992 (42 U.S.C. 13611),
20 or the restriction of occupancy to elderly families in ac-
21 cordance with section 658 of such Act (42 U.S.C. 13618),
22 and to the extent the Secretary determines that such
23 amount is not needed to fund applications for such af-
24 fected families, to other nonelderly disabled families: *Pro-*
25 *vided further*, That up to \$195,600,730 from amounts

1 available under this heading may be made available for
2 administrative fees and other expenses to cover the cost
3 of administering rental assistance programs under section
4 8 of the Act: *Provided further*, That the fee otherwise au-
5 thorized under section 8(q) of such Act shall be deter-
6 mined in accordance with section 8(q), as in effect imme-
7 diately before the enactment of the Quality Housing and
8 Work Responsibility Act of 1998: *Provided further*, That
9 \$886,000,000 is rescinded from unobligated balances re-
10 maining from funds appropriated to the Department of
11 Housing and Urban Development under this heading or
12 the heading “Annual contributions for assisted housing”
13 or any other heading for fiscal year 2001 and prior years:
14 *Provided further*, That any such balances governed by re-
15 allocation provisions under the statute authorizing the
16 program for which the funds were originally appropriated
17 shall not be available for this rescission: *Provided further*,
18 That the Secretary shall have until September 30, 2002,
19 to meet the rescission in the proviso preceding the imme-
20 diately preceding proviso: *Provided further*, That any obli-
21 gated balances of contract authority that have been termi-
22 nated shall be canceled.

23 PUBLIC HOUSING CAPITAL FUND

24 (INCLUDING TRANSFER OF FUNDS)

25 For the Public Housing Capital Fund Program to
26 carry out capital and management activities for public

1 housing agencies, as authorized under section 9 of the
2 United States Housing Act of 1937, as amended (42
3 U.S.C. 1437g), \$2,555,000,000, to remain available until
4 September 30, 2003: *Provided*, That, hereafter, notwith-
5 standing any other provision of law or any failure of the
6 Secretary of Housing and Urban Development to issue
7 regulations to carry out section 9(j) of the United States
8 Housing Act of 1937 (42 U.S.C. 1437g(j)), such section
9 is deemed to have taken effect on October 1, 1998, and,
10 except as otherwise provided in this heading, shall apply
11 to all assistance made available under this same heading
12 on or after such date: *Provided further*, That of the total
13 amount provided under this heading, in addition to
14 amounts otherwise allocated under this heading,
15 \$262,000,000 shall be allocated for such capital and man-
16 agement activities only among public housing agencies
17 that have obligated all assistance for the agency for fiscal
18 years 1998 and 1999 made available under this same
19 heading in accordance with the requirements under para-
20 graphs (1) and (2) of section 9(j) of such Act (except that
21 the provisions of section 9(j)(4) shall not apply to such
22 amounts): *Provided further*, That notwithstanding any
23 other provision of law or regulation, the Secretary may
24 not delegate to any Department official other than the
25 Deputy Secretary any authority under paragraph (2) of

1 such section 9(j) regarding the extension of the time peri-
2 ods under such section for obligation of amounts made
3 available for fiscal year 1998, 1999, 2000, 2001, or 2002:
4 *Provided further*, That notwithstanding the first proviso
5 and paragraphs (3) and (5)(B) of such section 9(j), if at
6 any time before the effectiveness of final regulations
7 issued by the Secretary under section 6(j) of the United
8 States Housing Act of 1937 (42 U.S.C. 1437d(j)) pro-
9 viding for assessment of public housing agencies and des-
10 ignation of high-performing agencies, any amounts made
11 available under the public housing Capital Fund for fiscal
12 year 1999, 2000, 2001, or 2002 remain unobligated in
13 violation of paragraph (1) of such section 9(j) or unex-
14 pended in violation of paragraph (5)(A) of such section
15 9(j), the Secretary shall immediately recapture any such
16 amounts and reallocate such amounts among public hous-
17 ing agencies that, at the time of such reallocation, are not
18 in violation of any requirement under paragraph (1) or
19 (5)(A) of such section: *Provided further*, That for purposes
20 of this heading, the term “obligate” means, with respect
21 to amounts, that the amounts are subject to a binding
22 agreement that will result in outlays immediately or in the
23 future: *Provided further*, That of the total amount pro-
24 vided under this heading, up to \$51,000,000 shall be for
25 carrying out activities under section 9(h) of such Act, of

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

18 PUBLIC HOUSING OPERATING FUND

19 (INCLUDING TRANSFER OF FUNDS)

20 For payments to public housing agencies for the oper-
21 ation and management of public housing, as authorized
22 by section 9(e) of the United States Housing Act of 1937,
23 as amended (42 U.S.C. 1437g(e)), \$3,494,868,000, to re-
24 main available until September 30, 2003: *Provided*, That
25 of the total amount provided under this heading,
26 \$10,000,000 shall be provided to the Office of Inspector

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

14 REVITALIZATION OF SEVERELY DISTRESSED PUBLIC
15 HOUSING (HOPE VI)

16 For grants to public housing agencies for demolition,
17 site revitalization, replacement housing, and tenant-based
18 assistance grants to projects as authorized by section 24
19 of the United States Housing Act of 1937, as amended,
20 \$573,735,000 to remain available until September 30,
21 2003, of which the Secretary may use up to \$5,000,000
22 for technical assistance and contract expertise, to be pro-
23 vided directly or indirectly by grants, contracts or coopera-
24 tive agreements, including training and cost of necessary
25 travel for participants in such training, by or to officials
26 and employees of the department and of public housing

1 agencies and to residents: *Provided*, That none of such
2 funds shall be used directly or indirectly by granting com-
3 petitive advantage in awards to settle litigation or pay
4 judgments, unless expressly permitted herein.

5 NATIVE AMERICAN HOUSING BLOCK GRANTS

6 (INCLUDING TRANSFERS OF FUNDS)

7 For the Native American Housing Block Grants pro-
8 gram, as authorized under title I of the Native American
9 Housing Assistance and Self-Determination Act of 1996
10 (NAHASDA) (25 U.S.C. 411 et seq.), \$648,570,000, to
11 remain available until expended, of which \$2,200,000 shall
12 be contracted through the Secretary as technical assist-
13 ance and capacity building to be used by the National
14 American Indian Housing Council in support of the imple-
15 mentation of NAHASDA; of which \$5,000,000 shall be
16 to support the inspection of Indian housing units, contract
17 expertise, and technical assistance in the training, over-
18 sight, and management of Indian housing and tenant-
19 based assistance, including up to \$300,000 for related
20 travel; and of which no less than \$2,000,000 shall be
21 transferred to the Working Capital Fund for the develop-
22 ment and maintenance of information technology systems:
23 *Provided*, That of the amount provided under this head-
24 ing, \$5,987,000 shall be made available for the cost of
25 guaranteed notes and other obligations, as authorized by

1 title VI of NAHASDA: *Provided further*, That such costs,
2 including the costs of modifying such notes and other obli-
3 gations, shall be as defined in section 502 of the Congres-
4 sional Budget Act of 1974, as amended: *Provided further*,
5 That these funds are available to subsidize the total prin-
6 cipal amount of any notes and other obligations, any part
7 of which is to be guaranteed, not to exceed \$52,726,000:
8 *Provided further*, That for administrative expenses to
9 carry out the guaranteed loan program, up to \$150,000
10 from amounts in the first proviso, which shall be trans-
11 ferred to and merged with the appropriation for “Salaries
12 and expenses”, to be used only for the administrative costs
13 of these guarantees.

14 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM
15 ACCOUNT
16 (INCLUDING TRANSFER OF FUNDS)

17 For the cost of guaranteed loans, as authorized by
18 section 184 of the Housing and Community Development
19 Act of 1992 (12 U.S.C. 1715z–13a), \$5,987,000, to re-
20 main available until expended: *Provided*, That such costs,
21 including the costs of modifying such loans, shall be as
22 defined in section 502 of the Congressional Budget Act
23 of 1974, as amended: *Provided further*, That these funds
24 are available to subsidize total loan principal, any part of
25 which is to be guaranteed, not to exceed \$234,283,000.

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

7 COMMUNITY PLANNING AND DEVELOPMENT

8 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

9 For carrying out the Housing Opportunities for Per-
10 sons with AIDS program, as authorized by the AIDS
11 Housing Opportunity Act (42 U.S.C. 12901),
12 \$277,432,000, to remain available until September 30,
13 2003: *Provided*, That the Secretary may use up to
14 \$2,000,000 of the funds under this heading for training,
15 oversight, and technical assistance activities.

16 COMMUNITY DEVELOPMENT FUND

17 (INCLUDING TRANSFERS OF FUNDS)

18 For assistance to units of State and local govern-
19 ment, and to other entities, for economic and community
20 development activities, and for other purposes,
21 \$4,801,993,000, to remain available until September 30,
22 2003: *Provided*, That of the amount provided,
23 \$4,399,300,000 is for carrying out the community devel-
24 opment block grant program under title I of the Housing
25 and Community Development Act of 1974, as amended

1 (the “Act” herein) (42 U.S.C. 5301): *Provided further,*
2 That \$69,000,000 shall be for grants to Indian tribes not-
3 withstanding section 106(a)(1) of such Act; \$3,300,000
4 shall be available as a grant to the Housing Assistance
5 Council; \$2,794,000 shall be available as a grant to the
6 National American Indian Housing Council; \$5,000,000
7 shall be available as a grant to the National Housing De-
8 velopment Corporation, for operating expenses not to ex-
9 ceed \$2,000,000 and for a program of affordable housing
10 acquisition and rehabilitation; \$5,000,000 shall be avail-
11 able as a grant to the National Council of La Raza for
12 the HOPE Fund, of which \$500,000 is for technical as-
13 sistance and fund management, and \$4,500,000 is for in-
14 vestments in the HOPE Fund and financing to affiliated
15 organizations; and \$34,424,000 shall be for grants pursu-
16 ant to section 107 of the Act: *Provided further,* That no
17 less than \$15,000,000 shall be transferred to the Working
18 Capital Fund for the development and maintenance of in-
19 formation technology systems: *Provided further,* That
20 \$21,956,000 shall be for grants pursuant to the Self Help
21 Housing Opportunity Program: *Provided further,* That not
22 to exceed 20 percent of any grant made with funds appro-
23 priated under this heading (other than a grant made avail-
24 able in this paragraph to the Housing Assistance Council
25 or the National American Indian Housing Council, or a

1 grant using funds under section 107(b)(3) of the Act)
2 shall be expended for “Planning and Management Devel-
3 opment” and “Administration” as defined in regulations
4 promulgated by the Department.

5 Of the amount made available under this heading,
6 \$29,387,000 shall be made available for capacity building,
7 of which \$24,945,000 shall be made available for “Capac-
8 ity Building for Community Development and Affordable
9 Housing” for LISC and the Enterprise Foundation for ac-
10 tivities as authorized by section 4 of the HUD Demonstra-
11 tion Act of 1993 (42 U.S.C. 9816 note), as in effect imme-
12 diately before June 12, 1997, with not less than
13 \$4,989,000 of the funding to be used in rural areas, in-
14 cluding tribal areas, and of which \$4,442,000 shall be for
15 capacity building activities administered by Habitat for
16 Humanity International.

17 Of the amount made available under this heading, the
18 Secretary of Housing and Urban Development may use
19 up to \$54,879,000 for supportive services for public hous-
20 ing residents, as authorized by section 34 of the United
21 States Housing Act of 1937, as amended, and for resi-
22 dents of housing assisted under the Native American
23 Housing Assistance and Self-Determination Act of 1996
24 (NAHASDA) and for grants for service coordinators and
25 congregate services for the elderly and disabled residents

1 of public and assisted housing and housing assisted under
2 NAHASDA.

3 Of the amount made available under this heading,
4 \$25,000,000 shall be available for neighborhood initiatives
5 that are utilized to improve the conditions of distressed
6 and blighted areas and neighborhoods, to stimulate invest-
7 ment, economic diversification, and community revitaliza-
8 tion in areas with population outmigration or a stagnating
9 or declining economic base, or to determine whether hous-
10 ing benefits can be integrated more effectively with welfare
11 reform initiatives: *Provided*, that any unobligated balances
12 of amounts set aside for neighborhood initiatives in fiscal
13 years 1998, 1999, 2000, and 2001 may be utilized for any
14 of the foregoing purposes.

15 Of the amount made available under this heading,
16 notwithstanding any other provision of law, \$59,868,000
17 shall be available for YouthBuild program activities au-
18 thorized by subtitle D of title IV of the Cranston-Gonzalez
19 National Affordable Housing Act, as amended, and such
20 activities shall be an eligible activity with respect to any
21 funds made available under this heading: *Provided*, That
22 local YouthBuild programs that demonstrate an ability to
23 leverage private and nonprofit funding shall be given a pri-
24 ority for YouthBuild funding: *Provided further*, That no
25 more than ten percent of any grant award may be used

1 for administrative costs: *Provided further*, That of the
2 amount provided under this paragraph, \$2,000,000 shall
3 be set aside and made available for a grant to YouthBuild
4 USA for capacity building for community development and
5 affordable housing activities as specified in section 4 of
6 the HUD Demonstration Act of 1993, as amended.

7 Of the amount made available under this heading,
8 \$77,000,000 shall be available for grants for the Economic
9 Development Initiative (EDI) to finance a variety of eco-
10 nomic development efforts.

11 COMMUNITY DEVELOPMENT LOAN GUARANTEES

12 PROGRAM ACCOUNT

13 (INCLUDING TRANSFER OF FUNDS)

14 For the cost of guaranteed loans, \$14,000,000, to re-
15 main available until September 30, 2003, as authorized
16 by section 108 of the Housing and Community Develop-
17 ment Act of 1974, as amended: *Provided*, That such costs,
18 including the cost of modifying such loans, shall be as de-
19 fined in section 502 of the Congressional Budget Act of
20 1974, as amended: *Provided further*, That these funds are
21 available to subsidize total loan principal, any part of
22 which is to be guaranteed, not to exceed \$608,696,000,
23 notwithstanding any aggregate limitation on outstanding
24 obligations guaranteed in section 108(k) of the Housing
25 and Community Development Act of 1974, as amended:
26 *Provided further*, That in addition, for administrative ex-

1 penses to carry out the guaranteed loan program,
2 \$1,000,000, which shall be transferred to and merged with
3 the appropriation for “Salaries and expenses”.

4 BROWNFIELDS REDEVELOPMENT

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

14 HOME INVESTMENT PARTNERSHIPS PROGRAM
15 (INCLUDING TRANSFER OF FUNDS)

16 For the HOME investment partnerships program, as
17 authorized under title II of the Cranston-Gonzalez Na-
18 tional Affordable Housing Act, as amended,
19 \$1,996,040,000 to remain available until September 30,
20 2003: *Provided*, That of the total amount provided under
21 this heading, \$200,000,000 shall be available for the
22 Downpayment Assistance Initiative, subject to the enact-
23 ment of subsequent legislation authorizing such initiative:
24 *Provided further*, That should legislation authorizing such
25 initiative not be enacted by June 30, 2002, amounts des-
26 ignated in the previous proviso shall become available for

1 any such purpose authorized under title II of the Cran-
2 ston-Gonzalez National Affordable Housing Act, as
3 amended: *Provided further*, That of the total amount pro-
4 vided under this heading, up to \$20,000,000 shall be avail-
5 able for Housing Counseling under section 106 of the
6 Housing and Urban Development Act of 1968; and no less
7 than \$17,000,000 shall be transferred to the Working
8 Capital Fund for the development and maintenance of in-
9 formation technology systems.

10 HOMELESS ASSISTANCE GRANTS
11 (INCLUDING TRANSFER OF FUNDS)

12 For the emergency shelter grants program as author-
13 ized under subtitle B of title IV of the McKinney-Vento
14 Homeless Assistance Act, as amended; the supportive
15 housing program as authorized under subtitle C of title
16 IV of such Act; the section 8 moderate rehabilitation sin-
17 gle room occupancy program as authorized under the
18 United States Housing Act of 1937, as amended, to assist
19 homeless individuals pursuant to section 441 of the
20 McKinney-Vento Homeless Assistance Act; and the shelter
21 plus care program as authorized under subtitle F of title
22 IV of such Act, \$1,027,745,000, to remain available until
23 September 30, 2003: *Provided*, That not less than 35 per-
24 cent of these funds shall be used for permanent housing,
25 and all funding for services must be matched by 25 per-
26 cent in funding by each grantee: *Provided further*, That

1 all awards of assistance under this heading shall be re-
2 quired to coordinate and integrate homeless programs
3 with other mainstream health, social services, and employ-
4 ment programs for which homeless populations may be eli-
5 gible, including Medicaid, State Children's Health Insur-
6 ance Program, Temporary Assistance for Needy Families,
7 Food Stamps, and services funding through the Mental
8 Health and Substance Abuse Block Grant, Workforce In-
9 vestment Act, and the Welfare-to-Work grant program:
10 *Provided further*, That no less than \$14,200,000 of the
11 funds appropriated under this heading is transferred to
12 the Working Capital Fund to be used for technical assist-
13 ance for management information systems and to develop
14 an automated, client-level Annual Performance Report
15 System: *Provided further*, That \$500,000 shall be made
16 available to the Interagency Council on the Homeless for
17 administrative needs.

18 HOUSING PROGRAMS

19 HOUSING FOR SPECIAL POPULATIONS

20 (INCLUDING TRANSFER OF FUNDS)

21 For assistance for the purchase, construction, acqui-
22 sition, or development of additional public and subsidized
23 housing units for low income families not otherwise pro-
24 vided for, \$1,024,151,000, to remain available until Sep-
25 tember 30, 2003: *Provided*, That \$783,286,000 shall be
26 for capital advances, including amendments to capital ad-

1 vance contracts, for housing for the elderly, as authorized
2 by section 202 of the Housing Act of 1959, as amended,
3 and for project rental assistance for the elderly under such
4 section 202(c)(2), including amendments to contracts for
5 such assistance and renewal of expiring contracts for such
6 assistance for up to a one-year term, and for supportive
7 services associated with the housing, of which amount
8 \$49,890,000 shall be for service coordinators and the con-
9 tinuation of existing congregate service grants for resi-
10 dents of assisted housing projects, and of which amount
11 \$49,890,000 shall be for grants under section 202b of the
12 Housing Act of 1959 (12 U.S.C. 1701q-2) for conversion
13 of eligible projects under such section to assisted living
14 or related use: *Provided further*, That of the amount under
15 this heading, \$240,865,000 shall be for capital advances,
16 including amendments to capital advance contracts, for
17 supportive housing for persons with disabilities, as author-
18 ized by section 811 of the Cranston-Gonzalez National Af-
19 fordable Housing Act, for project rental assistance for
20 supportive housing for persons with disabilities under such
21 section 811(d)(2), including amendments to contracts for
22 such assistance and renewal of expiring contracts for such
23 assistance for up to a one-year term, and for supportive
24 services associated with the housing for persons with dis-
25 abilities as authorized by section 811 of such Act, and for

1 tenant-based rental assistance contracts entered into pur-
2 suant to section 811 of such Act: *Provided further*, That
3 no less than \$1,000,000, to be divided evenly between the
4 appropriations for the section 202 and section 811 pro-
5 grams, shall be transferred to the Working Capital Fund
6 for the development and maintenance of information tech-
7 nology systems: *Provided further*, That, in addition to
8 amounts made available for renewal of tenant-based rental
9 assistance contracts pursuant to the second proviso of this
10 paragraph, the Secretary may designate up to 25 percent
11 of the amounts earmarked under this paragraph for sec-
12 tion 811 of such Act for tenant-based assistance, as au-
13 thorized under that section, including such authority as
14 may be waived under the next proviso, which assistance
15 is five years in duration: *Provided further*, That the Sec-
16 retary may waive any provision of such section 202 and
17 such section 811 (including the provisions governing the
18 terms and conditions of project rental assistance and ten-
19 ant-based assistance) that the Secretary determines is not
20 necessary to achieve the objectives of these programs, or
21 that otherwise impedes the ability to develop, operate, or
22 administer projects assisted under these programs, and
23 may make provision for alternative conditions or terms
24 where appropriate.

1 FLEXIBLE SUBSIDY FUND

2 (TRANSFER OF FUNDS)

3 From the Rental Housing Assistance Fund, all un-
4 committed balances of excess rental charges as of Sep-
5 tember 30, 2001, and any collections made during fiscal
6 year 2002, shall be transferred to the Flexible Subsidy
7 Fund, as authorized by section 236(g) of the National
8 Housing Act, as amended.

9 MANUFACTURED HOUSING FEES TRUST FUND

10 For necessary expenses as authorized by the National
11 Manufactured Housing Construction and Safety Stand-
12 ards Act of 1974, as amended (42 U.S.C. 5401 et seq.),
13 \$13,566,000, to remain available until expended, to be de-
14 rived from the Manufactured Housing Fees Trust Fund:
15 *Provided*, That the total amount appropriated under this
16 heading shall be available from the general fund of the
17 Treasury to the extent necessary to incur obligations and
18 make expenditures pending the receipt of collections to the
19 Fund pursuant to section 620 of such Act: *Provided fur-*
20 *ther*, That the amount made available under this heading
21 from the general fund shall be reduced as such collections
22 are received during fiscal year 2002 so as to result in a
23 final fiscal year 2002 appropriation from the general fund
24 estimated at not more than \$0 and fees pursuant to such
25 section 620 shall be modified as necessary to ensure such
26 a final fiscal year 2002 appropriation.

1 FEDERAL HOUSING ADMINISTRATION
2 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT
3 (INCLUDING TRANSFERS OF FUNDS)

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

8 During fiscal year 2002, obligations to make direct
9 loans to carry out the purposes of section 204(g) of the
10 National Housing Act, as amended, shall not exceed
11 \$250,000,000: *Provided*, That the foregoing amount shall
12 be for loans to nonprofit and governmental entities in con-
13 nection with sales of single family real properties owned
14 by the Secretary and formerly insured under the Mutual
15 Mortgage Insurance Fund.

16 For administrative expenses necessary to carry out
17 the guaranteed and direct loan program, \$330,888,000,
18 of which not to exceed \$326,866,000 shall be transferred
19 to the appropriation for “Salaries and expenses”; and not
20 to exceed \$4,022,000 shall be transferred to the appro-
21 priation for “Office of Inspector General”. In addition, for
22 administrative contract expenses, \$145,000,000, of which
23 not less than \$96,500,000 shall be transferred to the
24 Working Capital Fund for the development and mainte-
25 nance of information technology systems.

1 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT
2 (INCLUDING TRANSFERS OF FUNDS)

3 For the cost of guaranteed loans, as authorized by
4 sections 238 and 519 of the National Housing Act (12
5 U.S.C. 1715z-3 and 1735c), including the cost of loan
6 guarantee modifications as that term is defined in section
7 502 of the Congressional Budget Act of 1974, as amend-
8 ed, \$15,000,000, to remain available until expended: *Pro-*
9 *vided*, That these funds are available to subsidize total
10 loan principal, any part of which is to be guaranteed, of
11 up to \$21,000,000,000: *Provided further*, That any
12 amounts made available in any prior appropriations Act
13 for the cost (as such term is defined in section 502 of
14 the Congressional Budget Act of 1974) of guaranteed
15 loans that are obligations of the funds established under
16 section 238 or 519 of the National Housing Act that have
17 not been obligated or that are deobligated shall be avail-
18 able to the Secretary of Housing and Urban Development
19 in connection with the making of such guarantees and
20 shall remain available until expended, notwithstanding the
21 expiration of any period of availability otherwise applicable
22 to such amounts.

23 Gross obligations for the principal amount of direct
24 loans, as authorized by sections 204(g), 207(l), 238, and
25 519(a) of the National Housing Act, shall not exceed
26 \$50,000,000, of which not to exceed \$30,000,000 shall be

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

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

9 POLICY DEVELOPMENT AND RESEARCH

10 RESEARCH AND TECHNOLOGY

11 For contracts, grants, and necessary expenses of pro-
12 grams of research and studies relating to housing and
13 urban problems, not otherwise provided for, as authorized
14 by title V of the Housing and Urban Development Act
15 of 1970, as amended (12 U.S.C. 1701z–1 et seq.), includ-
16 ing carrying out the functions of the Secretary under sec-
17 tion 1(a)(1)(i) of Reorganization Plan No. 2 of 1968,
18 \$46,900,000, to remain available until September 30,
19 2003: *Provided*, That \$1,500,000 shall be for necessary
20 expenses of the Millennial Housing Commission, as au-
21 thorized by section 206 of Public Law 106–74: *Provided*
22 *further*, That of the total amount provided under this
23 heading, \$7,500,000 shall be for the Partnership for Ad-
24 vancing Technology in Housing (PATH) Initiative.

1 FAIR HOUSING AND EQUAL OPPORTUNITY

2 FAIR HOUSING ACTIVITIES

3 For contracts, grants, and other assistance, not oth-
4 erwise provided for, as authorized by title VIII of the Civil
5 Rights Act of 1968, as amended by the Fair Housing
6 Amendments Act of 1988, and section 561 of the Housing
7 and Community Development Act of 1987, as amended,
8 \$45,899,000, to remain available until September 30,
9 2003, of which \$19,449,000 shall be to carry out activities
10 pursuant to such section 561: *Provided*, That no funds
11 made available under this heading shall be used to lobby
12 the executive or legislative branches of the Federal Gov-
13 ernment in connection with a specific contract, grant or
14 loan.

15 OFFICE OF LEAD HAZARD CONTROL

16 LEAD HAZARD REDUCTION

17 For the Lead Hazard Reduction Program, as author-
18 ized by sections 1011 and 1053 of the Residential Lead-
19 Based Hazard Reduction Act of 1992, \$109,758,000 to
20 remain available until September 30, 2003, of which
21 \$10,000,000 shall be for the Healthy Homes Initiative,
22 pursuant to sections 501 and 502 of the Housing and
23 Urban Development Act of 1970 that shall include re-
24 search, studies, testing, and demonstration efforts, includ-
25 ing education and outreach concerning lead-based paint

1 poisoning and other housing-related environmental child-
2 hood diseases and hazards.

3 MANAGEMENT AND ADMINISTRATION

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary administrative and non-administrative
7 expenses of the Department of Housing and Urban Devel-
8 opment, not otherwise provided for, including not to ex-
9 ceed \$7,000 for official reception and representation ex-
10 penses, \$1,086,800,000, of which \$520,000,000 shall be
11 provided from the various funds of the Federal Housing
12 Administration, \$9,383,000 shall be provided from funds
13 of the Government National Mortgage Association,
14 \$1,000,000 shall be provided from the “Community devel-
15 opment fund” account, \$150,000 shall be provided by
16 transfer from the “Title VI Indian federal guarantees pro-
17 gram” account, and \$200,000 shall be provided by trans-
18 fer from the “Indian housing loan guarantee fund pro-
19 gram” account: *Provided*, That no less than \$85,000,000
20 shall be transferred to the Working Capital Fund for the
21 development and maintenance of Information Technology
22 Systems: *Provided further*, That the Secretary shall fill 7
23 out of 10 vacancies at the GS–14 and GS–15 levels until
24 the total number of GS–14 and GS–15 positions in the
25 Department has been reduced from the number of GS–
26 14 and GS–15 positions on the date of enactment of Pub-

1 lie Law 106–377 by two and one-half percent: *Provided*
2 *further*, That the Secretary shall submit a staffing plan
3 for the Department by November 1, 2001.

4 OFFICE OF INSPECTOR GENERAL

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

15 CONSOLIDATED FEE FUND

16 (RESCISSION)

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

20 OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFER OF FUNDS)

23 For carrying out the Federal Housing Enterprise Fi-
24 nancial Safety and Soundness Act of 1992, including not
25 to exceed \$500 for official reception and representation
26 expenses, \$23,000,000, to remain available until ex-

1 pended, to be derived from the Federal Housing Enter-
2 prise Oversight Fund: *Provided*, That not to exceed such
3 amount shall be available from the general fund of the
4 Treasury to the extent necessary to incur obligations and
5 make expenditures pending the receipt of collections to the
6 Fund: *Provided further*, That the general fund amount
7 shall be reduced as collections are received during the fis-
8 cal year so as to result in a final appropriation from the
9 general fund estimated at not more than \$0.

10 ADMINISTRATIVE PROVISIONS

11 SEC. 201. Fifty percent of the amounts of budget au-
12 thority, or in lieu thereof 50 percent of the cash amounts
13 associated with such budget authority, that are recaptured
14 from projects described in section 1012(a) of the Stuart
15 B. McKinney Homeless Assistance Amendments Act of
16 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the
17 case of cash, shall be remitted to the Treasury, and such
18 amounts of budget authority or cash recaptured and not
19 rescinded or remitted to the Treasury shall be used by
20 State housing finance agencies or local governments or
21 local housing agencies with projects approved by the Sec-
22 retary of Housing and Urban Development for which set-
23 tlement occurred after January 1, 1992, in accordance
24 with such section. Notwithstanding the previous sentence,
25 the Secretary may award up to 15 percent of the budget

1 authority or cash recaptured and not rescinded or remitted
2 to the Treasury to provide project owners with incentives
3 to refinance their project at a lower interest rate.

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

12 SEC. 203. (a) Notwithstanding section 854(c)(1)(A)
13 of the AIDS Housing Opportunity Act (42 U.S.C.
14 12903(c)(1)(A)), from any amounts made available under
15 this title for fiscal year 2002 that are allocated under such
16 section, the Secretary of Housing and Urban Development
17 shall allocate and make a grant, in the amount determined
18 under subsection (b), for any State that—

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

21 (2) is not otherwise eligible for an allocation for
22 fiscal year 2002 under such clause (ii) because the
23 areas in the State outside of the metropolitan statis-
24 tical areas that qualify under clause (i) in fiscal year
25 2002 do not have the number of cases of acquired

1 immunodeficiency syndrome (AIDS) required under
2 such clause.

3 (b) The amount of the allocation and grant for any
4 State described in subsection (a) shall be an amount based
5 on the cumulative number of AIDS cases in the areas of
6 that State that are outside of metropolitan statistical
7 areas that qualify under clause (i) of such section
8 854(c)(1)(A) in fiscal year 2002, in proportion to AIDS
9 cases among cities and States that qualify under clauses
10 (i) and (ii) of such section and States deemed eligible
11 under subsection (a).

12 SEC. 204. Section 225(a) of the Department of Vet-
13 erans Affairs and Housing and Urban Development, and
14 Independent Agencies Appropriations Act, 2000, Public
15 Law 106–74 (113 Stat. 1076), is amended by inserting
16 “and fiscal year 2002” after “fiscal year 2001”.

17 SEC. 205. Section 251 of the National Housing Act
18 (12 U.S.C. 1715z–16) is amended—

19 (1) in subsection (b), by striking “issue regula-
20 tions” and all that follows and inserting the fol-
21 lowing: “require that the mortgagee make available
22 to the mortgagor, at the time of loan application, a
23 written explanation of the features of an adjustable
24 rate mortgage consistent with the disclosure require-
25 ments applicable to variable rate mortgages secured

1 by a principal dwelling under the Truth in Lending
2 Act.”; and

3 (2) by adding the following new subsection at
4 the end:

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

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

10 “(B) shall be adjusted by the mortgagee ini-
11 tially upon the expiration of such period and annu-
12 ally thereafter; and

13 “(C) in the case of the initial interest rate ad-
14 justment, is subject to the one percent limitation
15 only if the interest rate remained fixed for five or
16 fewer years.

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

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

22 (1) in paragraph (1), by striking “and (k)” and
23 “or (k)”; and

24 (2) in paragraph (2)—

1 (A) by inserting immediately after “sub-
2 section (v),” the following: “and each mortgage
3 that is insured under subsection (k) or section
4 234(c),”; and

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

7 (b) The amendments made by subsection (a) shall—
8 (1) apply only to mortgages that are executed
9 on or after the date of enactment of this Act; and
10 (2) be implemented in advance of any necessary
11 conforming changes to regulations.

12 SEC. 207. (a) During fiscal year 2002, in the provi-
13 sion of rental assistance under section 8(o) of the United
14 States Housing Act of 1937 (42 U.S.C. 1437f(o)) in con-
15 nection with a program to demonstrate the economy and
16 effectiveness of providing such assistance for use in as-
17 sisted living facilities that is carried out in the counties
18 of the State of Michigan specified in subsection (b) of this
19 section, notwithstanding paragraphs (3) and (18)(B)(iii)
20 of such section 8(o), a family residing in an assisted living
21 facility in any such county, on behalf of which a public
22 housing agency provides assistance pursuant to section
23 8(o)(18) of such Act, may be required, at the time the
24 family initially receives such assistance, to pay rent in an
25 amount exceeding 40 percent of the monthly adjusted in-

1 come of the family by such a percentage or amount as
2 the Secretary of Housing and Urban Development deter-
3 mines to be appropriate.

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

7 TITLE III—INDEPENDENT AGENCIES

8 AMERICAN BATTLE MONUMENTS COMMISSION

9 SALARIES AND EXPENSES

10 For necessary expenses, not otherwise provided for,
11 of the American Battle Monuments Commission, including
12 the acquisition of land or interest in land in foreign coun-
13 tries; purchases and repair of uniforms for caretakers of
14 national cemeteries and monuments outside of the United
15 States and its territories and possessions; rent of office
16 and garage space in foreign countries; purchase (one for
17 replacement only) and hire of passenger motor vehicles;
18 and insurance of official motor vehicles in foreign coun-
19 tries, when required by law of such countries,
20 \$30,466,000, to remain available until expended.

21 For the partial cost of construction of a new interpre-
22 tive and visitor center at the American Cemetery in Nor-
23 mandy, France, \$5,000,000, to remain available until ex-
24 pended: *Provided*, That the Commission shall ensure that
25 the placement, scope and character of this new center pro-

1 tect the solemnity of the site and the sensitivity of inter-
2 ested parties including families of servicemen interred at
3 the cemetery, the host country and Allied forces who par-
4 ticipated in the invasion and ensuing battle: *Provided fur-*
5 *ther*, That not more than \$1,000,000 shall be for non-con-
6 struction related costs including initial consultations with
7 interested parties and the conceptual study and design of
8 the new center.

9 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD
10 SALARIES AND EXPENSES

11 For necessary expenses in carrying out activities pur-
12 suant to section 112(r)(6) of the Clean Air Act, as amend-
13 ed, including hire of passenger vehicles, uniforms or allow-
14 ances therefor, as authorized by 5 U.S.C. 5901–5902, and
15 for services authorized by 5 U.S.C. 3109, but at rates for
16 individuals not to exceed the per diem equivalent to the
17 maximum rate payable for senior level positions under 5
18 U.S.C. 5376, \$8,000,000, \$5,500,000 of which to remain
19 available until September 30, 2002 and \$2,500,000 of
20 which to remain available until September 30, 2003: *Pro-*
21 *vided*, That the Chemical Safety and Hazard Investigation
22 Board shall have not more than three career Senior Exec-
23 utive Service positions: *Provided further*, That, hereafter,
24 there shall be an Inspector General at the Board who shall
25 have the duties, responsibilities, and authorities specified

1 in the Inspector General Act of 1978, as amended: *Pro-*
2 *vided further*, That an individual appointed to the position
3 of Inspector General of the Federal Emergency Manage-
4 ment Agency (FEMA) shall, by virtue of such appoint-
5 ment, also hold the position of Inspector General of the
6 Board: *Provided further*, That the Inspector General of the
7 Board shall utilize personnel of the Office of Inspector
8 General of FEMA in performing the duties of the Inspec-
9 tor General of the Board, and shall not appoint any indi-
10 viduals to positions within the Board.

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

15 To carry out the Community Development Banking
16 and Financial Institutions Act of 1994, including services
17 authorized by 5 U.S.C. 3109, but at rates for individuals
18 not to exceed the per diem rate equivalent to the rate for
19 ES-3, \$80,000,000, to remain available until September
20 30, 2003, of which \$500,000 shall be for technical assist-
21 ance and training programs designed to benefit Native
22 American communities, and up to \$8,948,000 may be used
23 for administrative expenses, including administration of
24 the New Markets Tax Credit, up to \$6,000,000 may be
25 used for the cost of direct loans, and up to \$1,000,000
26 may be used for administrative expenses to carry out the

1 direct loan program: *Provided*, That the cost of direct
2 loans, including the cost of modifying such loans, shall be
3 as defined in section 502 of the Congressional Budget Act
4 of 1974, as amended: *Provided further*, That these funds
5 are available to subsidize gross obligations for the prin-
6 cipal amount of direct loans not to exceed \$15,000,000.

7 CONSUMER PRODUCT SAFETY COMMISSION

8 SALARIES AND EXPENSES

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

18 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

19 NATIONAL AND COMMUNITY SERVICE PROGRAMS

20 OPERATING EXPENSES

21 Of the funds appropriated under this heading in Pub-
22 lic Law 106–377, the Corporation for National and Com-
23 munity Service shall use such amounts of such funds as
24 may be necessary to carry out the orderly termination of
25 the programs, activities, and initiatives under the National
26 Community Service Act of 1990 (Public Law 103–82) and

1 the Corporation: *Provided*, that such sums shall be utilized
2 to resolve all responsibilities and obligations in connection
3 with said Corporation.

4 OFFICE OF INSPECTOR GENERAL

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

9 U.S. COURT OF APPEALS FOR VETERANS CLAIMS

10 SALARIES AND EXPENSES

11 For necessary expenses for the operation of the
12 United States Court of Appeals for Veterans Claims as
13 authorized by 38 U.S.C. 7251–7298, \$13,221,000, of
14 which \$895,000 shall be available for the purpose of pro-
15 viding financial assistance as described, and in accordance
16 with the process and reporting procedures set forth, under
17 this heading in Public Law 102–229.

18 DEPARTMENT OF DEFENSE—CIVIL

19 CEMETERIAL EXPENSES, ARMY

20 SALARIES AND EXPENSES

21 For necessary expenses, as authorized by law, for
22 maintenance, operation, and improvement of Arlington
23 National Cemetery and Soldiers' and Airmen's Home Na-
24 tional Cemetery, including the purchase of two passenger
25 motor vehicles for replacement only, and not to exceed

1 \$1,000 for official reception and representation expenses,
2 \$22,537,000, to remain available until expended.

3 DEPARTMENT OF HEALTH AND HUMAN SERVICES
4 NATIONAL INSTITUTES OF HEALTH
5 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
6 SCIENCES

7 For necessary expenses for the National Institute of
8 Environmental Health Sciences in carrying out activities
9 set forth in section 311(a) of the Comprehensive Environ-
10 mental Response, Compensation, and Liability Act of
11 1980, as amended, \$70,228,000.

12 AGENCY FOR TOXIC SUBSTANCES AND DISEASE
13 REGISTRY
14 SALARIES AND EXPENSES

15 For necessary expenses for the Agency for Toxic Sub-
16 stances and Disease Registry (ATSDR) in carrying out
17 activities set forth in sections 104(i), 111(c)(4), and
18 111(c)(14) of the Comprehensive Environmental Re-
19 sponse, Compensation, and Liability Act of 1980
20 (CERCLA), as amended; section 118(f) of the Superfund
21 Amendments and Reauthorization Act of 1986 (SARA),
22 as amended; and section 3019 of the Solid Waste Disposal
23 Act, as amended, \$78,235,000, to be derived from the
24 Hazardous Substance Superfund Trust Fund pursuant to
25 section 517(a) of SARA (26 U.S.C. 9507): *Provided*, That

1 notwithstanding any other provision of law, in lieu of per-
2 forming a health assessment under section 104(i)(6) of
3 CERCLA, the Administrator of ATSDR may conduct
4 other appropriate health studies, evaluations, or activities,
5 including, without limitation, biomedical testing, clinical
6 evaluations, medical monitoring, and referral to accredited
7 health care providers: *Provided further*, That in per-
8 forming any such health assessment or health study, eval-
9 uation, or activity, the Administrator of ATSDR shall not
10 be bound by the deadlines in section 104(i)(6)(A) of
11 CERCLA: *Provided further*, That none of the funds appro-
12 priated under this heading shall be available for ATSDR
13 to issue in excess of 40 toxicological profiles pursuant to
14 section 104(i) of CERCLA during fiscal year 2002, and
15 existing profiles may be updated as necessary.

16 ENVIRONMENTAL PROTECTION AGENCY

17 SCIENCE AND TECHNOLOGY

18 For science and technology, including research and
19 development activities, which shall include research and
20 development activities under the Comprehensive Environ-
21 mental Response, Compensation, and Liability Act of
22 1980, as amended; necessary expenses for personnel and
23 related costs and travel expenses, including uniforms, or
24 allowances therefor, as authorized by 5 U.S.C. 5901–
25 5902; services as authorized by 5 U.S.C. 3109, but at

1 rates for individuals not to exceed the per diem rate equiv-
2 alent to the maximum rate payable for senior level posi-
3 tions under 5 U.S.C. 5376; procurement of laboratory
4 equipment and supplies; other operating expenses in sup-
5 port of research and development; construction, alteration,
6 repair, rehabilitation, and renovation of facilities, not to
7 exceed \$75,000 per project, \$680,410,000, which shall re-
8 main available until September 30, 2003.

9 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

10 For environmental programs and management, in-
11 cluding necessary expenses, not otherwise provided for, for
12 personnel and related costs and travel expenses, including
13 uniforms, or allowances therefor, as authorized by 5
14 U.S.C. 5901–5902; services as authorized by 5 U.S.C.
15 3109, but at rates for individuals not to exceed the per
16 diem rate equivalent to the maximum rate payable for sen-
17 ior level positions under 5 U.S.C. 5376; hire of passenger
18 motor vehicles; hire, maintenance, and operation of air-
19 craft; purchase of reprints; library memberships in soci-
20 eties or associations which issue publications to members
21 only or at a price to members lower than to subscribers
22 who are not members; construction, alteration, repair, re-
23 habilitation, and renovation of facilities, not to exceed
24 \$75,000 per project; and not to exceed \$6,000 for official
25 reception and representation expenses, \$2,014,799,000,
26 which shall remain available until September 30, 2003.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, as amended, and for construction,
5 alteration, repair, rehabilitation, and renovation of facili-
6 ties, not to exceed \$75,000 per project, \$34,019,000, to
7 remain available until September 30, 2003.

8 BUILDINGS AND FACILITIES

9 For construction, repair, improvement, extension, al-
10 teration, and purchase of fixed equipment or facilities of,
11 or for use by, the Environmental Protection Agency,
12 \$25,318,000, to remain available until expended.

13 HAZARDOUS SUBSTANCE SUPERFUND
14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses to carry out the Comprehen-
16 sive Environmental Response, Compensation, and Liabil-
17 ity Act of 1980 (CERCLA), as amended, including sec-
18 tions 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C.
19 9611), and for construction, alteration, repair, rehabilita-
20 tion, and renovation of facilities, not to exceed \$75,000
21 per project; \$1,270,000,000 (of which \$100,000,000 shall
22 not become available until September 1, 2002) to remain
23 available until expended, consisting of \$635,000,000, as
24 authorized by section 517(a) of the Superfund Amend-
25 ments and Reauthorization Act of 1986 (SARA), as
26 amended by Public Law 101-508, and \$635,000,000 as

1 a payment from general revenues to the Hazardous Sub-
2 stance Superfund for purposes as authorized by section
3 517(b) of SARA, as amended: *Provided*, That funds ap-
4 propriated under this heading may be allocated to other
5 Federal agencies in accordance with section 111(a) of
6 CERCLA: *Provided further*, That of the funds appro-
7 priated under this heading, \$11,867,000 shall be trans-
8 ferred to the “Office of Inspector General” appropriation
9 to remain available until September 30, 2003, and
10 \$36,891,000 shall be transferred to the “Science and tech-
11 nology” appropriation to remain available until September
12 30, 2003.

13 LEAKING UNDERGROUND STORAGE TANK TRUST FUND

14 For necessary expenses to carry out leaking under-
15 ground storage tank cleanup activities authorized by sec-
16 tion 205 of the Superfund Amendments and Reauthoriza-
17 tion Act of 1986, and for construction, alteration, repair,
18 rehabilitation, and renovation of facilities, not to exceed
19 \$75,000 per project, \$72,000,000, to remain available
20 until expended.

21 OIL SPILL RESPONSE

22 For expenses necessary to carry out the Environ-
23 mental Protection Agency’s responsibilities under the Oil
24 Pollution Act of 1990, \$15,000,000, to be derived from
25 the Oil Spill Liability trust fund, to remain available until
26 expended.

1 STATE AND TRIBAL ASSISTANCE GRANTS

2 For environmental programs and infrastructure as-
3 sistance, including capitalization grants for State revolv-
4 ing funds and performance partnership grants,
5 \$3,433,899,000, to remain available until expended, of
6 which \$1,200,000,000 shall be for making capitalization
7 grants for the Clean Water State Revolving Funds under
8 title VI of the Federal Water Pollution Control Act, as
9 amended (the “Act”); \$850,000,000 shall be for capital-
10 ization grants for the Drinking Water State Revolving
11 Funds under section 1452 of the Safe Drinking Water
12 Act, as amended, except that, notwithstanding section
13 1452(n) of the Safe Drinking Water Act, as amended,
14 none of the funds made available under this heading in
15 this Act, or in previous appropriations Acts, shall be re-
16 served by the Administrator for health effects studies on
17 drinking water contaminants; \$75,000,000 shall be for ar-
18 chitectural, engineering, planning, design, construction
19 and related activities in connection with the construction
20 of high priority water and wastewater facilities in the area
21 of the United States-Mexico Border, after consultation
22 with the appropriate border commission; \$30,000,000
23 shall be for grants to the State of Alaska to address drink-
24 ing water and wastewater infrastructure needs of rural
25 and Alaska Native Villages; \$200,000,000 shall be for

1 making grants for the construction of wastewater and
2 water treatment facilities and groundwater protection in-
3 frastructure in accordance with the terms and conditions
4 specified for such grants in the report accompanying this
5 Act; and \$1,078,899,000 shall be for grants, including as-
6 sociated program support costs, to States, federally recog-
7 nized tribes, interstate agencies, tribal consortia, and air
8 pollution control agencies for multi-media or single media
9 pollution prevention, control and abatement and related
10 activities, including activities pursuant to the provisions
11 set forth under this heading in Public Law 104–134, and
12 for making grants under section 103 of the Clean Air Act
13 for particulate matter monitoring and data collection ac-
14 tivities of which and subject to terms and conditions speci-
15 fied by the Administrator, \$25,000,000 shall be for mak-
16 ing grants for enforcement and related activities (in addi-
17 tion to other grants funded under this heading), and
18 \$25,000,000 shall be for Environmental Information Ex-
19 change Network grants, including associated program
20 support costs: *Provided*, That for fiscal year 2002 and
21 hereafter, State authority under section 302(a) of Public
22 Law 104–182 shall remain in effect: *Provided further*,
23 That notwithstanding section 603(d)(7) of the Act, the
24 limitation on the amounts in a State water pollution con-
25 trol revolving fund that may be used by a State to admin-

1 ister the fund shall not apply to amounts included as prin-
2 cipal in loans made by such fund in fiscal year 2002 and
3 prior years where such amounts represent costs of admin-
4 istering the fund to the extent that such amounts are or
5 were deemed reasonable by the Administrator, accounted
6 for separately from other assets in the fund, and used for
7 eligible purposes of the fund, including administration:
8 *Provided further*, That for fiscal year 2002, and notwith-
9 standing section 518(f) of the Act, the Administrator is
10 authorized to use the amounts appropriated for any fiscal
11 year under section 319 of that Act to make grants to In-
12 dian tribes pursuant to section 319(h) and 518(e) of that
13 Act: *Provided further*, That for fiscal year 2002, notwith-
14 standing the limitation on amounts in section 518(e) of
15 the Act, up to a total of 1½ percent of the funds appro-
16 priated for State Revolving Funds under Title VI of the
17 Act may be reserved by the Administrator for grants
18 under section 518(e) of such Act: *Provided further*, That
19 no funds provided by this legislation to address the water,
20 wastewater and other critical infrastructure needs of the
21 colonias in the United States along the United States-
22 Mexico border shall be made available to a county or mu-
23 nicipal government unless that government has established
24 an enforceable local ordinance, or other zoning rule, which
25 prevents in that jurisdiction the development or construc-

1 tion of any additional colonia areas, or the development
2 within an existing colonia the construction of any new
3 home, business, or other structure which lacks water,
4 wastewater, or other necessary infrastructure.

5 ADMINISTRATIVE PROVISIONS

6 For fiscal year 2002, notwithstanding 31 U.S.C.
7 6303(1) and 6305(1), the Administrator of the Environ-
8 mental Protection Agency, in carrying out the Agency's
9 function to implement directly Federal environmental pro-
10 grams required or authorized by law in the absence of an
11 acceptable tribal program, may award cooperative agree-
12 ments to federally-recognized Indian Tribes or Intertribal
13 consortia, if authorized by their member Tribes, to assist
14 the Administrator in implementing Federal environmental
15 programs for Indian Tribes required or authorized by law,
16 except that no such cooperative agreements may be award-
17 ed from funds designated for State financial assistance
18 agreements.

19 Section 136a-1 of title 7, United States Code is
20 amended—

21 (1) in subsection (i)(5)(C)(i) by striking
22 “\$14,000,000” and inserting “\$17,000,000”; and,
23 by striking “each” and inserting “2002” after “fis-
24 cal year”;

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

1 the Senate, serving as chairman and exercising all powers,
2 functions, and duties of the Council.

3 FEDERAL DEPOSIT INSURANCE CORPORATION

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended, \$33,660,000, to be de-
8 rived from the Bank Insurance Fund, the Savings Asso-
9 ciation Insurance Fund, and the FSLIC Resolution Fund.

10 FEDERAL EMERGENCY MANAGEMENT AGENCY

11 DISASTER RELIEF

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses in carrying out the Robert
14 T. Stafford Disaster Relief and Emergency Assistance Act
15 (42 U.S.C. 5121 et seq.), \$1,369,399,000, and, notwith-
16 standing 42 U.S.C. 5203, to remain available until ex-
17 pended, of which not to exceed \$2,900,000 may be trans-
18 ferred to “Emergency management planning and assist-
19 ance” for the consolidated emergency management per-
20 formance grant program; up to \$15,000,000 may be obli-
21 gated for flood map modernization activities following dis-
22 aster declarations; and \$21,577,000 may be used by the
23 Office of Inspector General for audits and investigations.

24 In addition, for the purposes under this heading,
25 \$1,300,000,000: *Provided*, That such amount is des-
26 ignated by the Congress as an emergency requirement

1 pursuant to section 251(b)(2)(A) of the Balanced Budget
2 and Emergency Deficit Control Act of 1985: *Provided fur-*
3 *ther*, That such amount shall be available only to the ex-
4 tent that an official budget request, that includes designa-
5 tion of the entire amount of the request as an emergency
6 requirement as defined in the Balanced Budget and Emer-
7 gency Deficit Control Act of 1985, is transmitted by the
8 President to the Congress.

9 DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

10 For the cost of direct loans, \$405,000, as authorized
11 by section 319 of the Robert T. Stafford Disaster Relief
12 and Emergency Assistance Act: *Provided*, That such costs,
13 including the cost of modifying such loans, shall be as de-
14 fined in section 502 of the Congressional Budget Act of
15 1974, as amended: *Provided further*, That these funds are
16 available to subsidize gross obligations for the principal
17 amount of direct loans not to exceed \$25,000,000. In addi-
18 tion, for administrative expenses to carry out the direct
19 loan program, \$543,000.

20 SALARIES AND EXPENSES

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

1 rate payable for senior level positions under 5 U.S.C.
2 5376; expenses of attendance of cooperating officials and
3 individuals at meetings concerned with the work of emer-
4 gency preparedness; transportation in connection with the
5 continuity of Government programs to the same extent
6 and in the same manner as permitted the Secretary of
7 a Military Department under 10 U.S.C. 2632; and not to
8 exceed \$2,500 for official reception and representation ex-
9 penses, \$227,900,000.

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, \$10,303,000: *Provided*, That notwith-
14 standing any other provision of law, the Inspector General
15 of the Federal Emergency Management Agency shall also
16 serve as the Inspector General of the Chemical Safety and
17 Hazard Investigation Board.

18 EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

19 For necessary expenses, not otherwise provided for,
20 to carry out activities under the National Flood Insurance
21 Act of 1968, as amended, and the Flood Disaster Protec-
22 tion Act of 1973, as amended (42 U.S.C. 4001 et seq.),
23 the Robert T. Stafford Disaster Relief and Emergency As-
24 sistance Act (42 U.S.C. 5121 et seq.), the Earthquake
25 Hazards Reduction Act of 1977, as amended (42 U.S.C.
26 7701 et seq.), the Federal Fire Prevention and Control

1 Act of 1974, as amended (15 U.S.C. 2201 et seq.), the
2 Defense Production Act of 1950, as amended (50 U.S.C.
3 App. 2061 et seq.), sections 107 and 303 of the National
4 Security Act of 1947, as amended (50 U.S.C. 404–405),
5 and Reorganization Plan No. 3 of 1978, \$404,623,000.

6 RADIOLOGICAL EMERGENCY PREPAREDNESS FUND

7 The aggregate charges assessed during fiscal year
8 2002, as authorized by Public Law 106–377, shall not be
9 less than 100 percent of the amounts anticipated by
10 FEMA necessary for its radiological emergency prepared-
11 ness program for the next fiscal year. The methodology
12 for assessment and collection of fees shall be fair and equi-
13 table; and shall reflect costs of providing such services,
14 including administrative costs of collecting such fees. Fees
15 received pursuant to this section shall be deposited in the
16 Fund as offsetting collections and will become available
17 for authorized purposes on October 1, 2002, and remain
18 available until expended.

19 EMERGENCY FOOD AND SHELTER PROGRAM

20 To carry out an emergency food and shelter program
21 pursuant to title III of Public Law 100–77, as amended,
22 \$140,000,000, to remain available until expended: *Pro-*
23 *vided*, That total administrative costs shall not exceed 3½
24 percent of the total appropriation.

1 NATIONAL FLOOD INSURANCE FUND
2 (INCLUDING TRANSFER OF FUNDS)

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

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

22 Section 1309(a)(2) of the Act (42 U.S.C.
23 4016(a)(2)), as amended, is further amended by striking
24 “2001” and inserting “2002”.

1 Section 1319 of the Act, as amended (42 U.S.C.
2 4026), is amended by striking “after” and all that follows
3 and inserting “after September 30, 2001.”.

4 Section 1336(a) of the Act, as amended (42 U.S.C.
5 4056(a)), is amended by striking “ending” and all that
6 follows through the second comma thereafter and inserting
7 “ending September 30, 2001.”.

8 Section 1376(e) of the Act, as amended (42 U.S.C.
9 4127(e)), is amended by striking “December 31, 2001”
10 and inserting “December 31, 2002”.

11 NATIONAL FLOOD MITIGATION FUND

12 Notwithstanding sections 1366(b)(3)(B)–(C) and
13 1366(f) of the National Flood Insurance Act of 1968, as
14 amended, \$20,000,000, to remain available until Sep-
15 tember 30, 2003, for activities designed to reduce the risk
16 of flood damage to structures pursuant to such Act, of
17 which \$20,000,000 shall be derived from the National
18 Flood Insurance Fund. Of the amount provided,
19 \$2,500,000 is to be used for the purchase of flood-prone
20 properties in the city of Austin, Minnesota, and any cost-
21 share is waived.

22 GENERAL SERVICES ADMINISTRATION

23 FEDERAL CONSUMER INFORMATION CENTER FUND

24 For necessary expenses of the Federal Consumer In-
25 formation Center, including services authorized by 5
26 U.S.C. 3109, \$7,276,000, to be deposited into the Federal

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

21 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

22 HUMAN SPACE FLIGHT

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses, not otherwise provided for,
25 in the conduct and support of human space flight research
26 and development activities, including research, develop-

1 ment, operations, support and services; maintenance; con-
2 struction of facilities including repair, rehabilitation, revi-
3 talization and modification of facilities, construction of
4 new facilities and additions to existing facilities, facility
5 planning and design, environmental compliance and res-
6 toration, and acquisition or condemnation of real property,
7 as authorized by law; space flight, spacecraft control and
8 communications activities including operations, produc-
9 tion, and services; program management; personnel and
10 related costs, including uniforms or allowances therefor,
11 as authorized by 5 U.S.C. 5901–5902; travel expenses;
12 purchase and hire of passenger motor vehicles; not to ex-
13 ceed \$20,000 for official reception and representation ex-
14 penses; and purchase, lease, charter, maintenance and op-
15 eration of mission and administrative aircraft,
16 \$7,047,400,000, to remain available until September 30,
17 2003, of which amounts as determined by the Adminis-
18 trator for salaries and benefits; training, travel and
19 awards; facility and related costs; information technology
20 services; science, engineering, fabricating and testing serv-
21 ices; and other administrative services may be transferred
22 to the Science, Aeronautics and Technology account in ac-
23 cordance with section 312(b) of the National Aeronautics
24 and Space Act of 1958, as amended by Public Law 106–
25 377.

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

13 SCIENCE, AERONAUTICS AND TECHNOLOGY

14 (INCLUDING TRANSFER OF FUNDS)

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

1 personnel and related costs, including uniforms or allow-
2 ances therefor, as authorized by 5 U.S.C. 5901–5902;
3 travel expenses; purchase and hire of passenger motor ve-
4 hicles; not to exceed \$20,000 for official reception and rep-
5 resentation expenses; and purchase, lease, charter, mainte-
6 nance and operation of mission and administrative air-
7 craft, \$7,605,300,000, to remain available until Sep-
8 tember 30, 2003, of which amounts as determined by the
9 Administrator for salaries and benefits; training, travel
10 and awards; facility and related costs; information tech-
11 nology services; science, engineering, fabricating and test-
12 ing services; and other administrative services may be
13 transferred to the Human Space Flight account in accord-
14 ance with section 312(b) of the National Aeronautics and
15 Space Act of 1958, as amended by Public Law 106–377.

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector
18 General in carrying out the Inspector General Act of 1978,
19 as amended, \$23,700,000.

20 ADMINISTRATIVE PROVISIONS

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

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

5 Notwithstanding the limitation on the availability of
6 funds appropriated for “Human space flight”, or
7 “Science, aeronautics and technology” by this appropria-
8 tions Act, the amounts appropriated for construction of
9 facilities shall remain available until September 30, 2004.

10 Notwithstanding the limitation on the availability of
11 funds appropriated for “Office of Inspector General”,
12 amounts made available by this Act for personnel and re-
13 lated costs and travel expenses of the National Aero-
14 nautics and Space Administration shall remain available
15 until September 30, 2002 and may be used to enter into
16 contracts for training, investigations, costs associated with
17 personnel relocation, and for other services, to be provided
18 during the next fiscal year. Funds for announced prizes
19 otherwise authorized shall remain available, without fiscal
20 year limitation, until the prize is claimed or the offer is
21 withdrawn.

22 No funds in this or any other Appropriations Act may
23 be used to finalize an agreement prior to December 1,
24 2002 between NASA and a nongovernment organization

1 to conduct research utilization and commercialization
2 management activities of the International Space Station.

3 NATIONAL CREDIT UNION ADMINISTRATION

4 CENTRAL LIQUIDITY FACILITY

5 (INCLUDING TRANSFER OF FUNDS)

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

14 NATIONAL SCIENCE FOUNDATION

15 RESEARCH AND RELATED ACTIVITIES

16 For necessary expenses in carrying out the National
17 Science Foundation Act of 1950, as amended (42 U.S.C.
18 1861–1875), and the Act to establish a National Medal
19 of Science (42 U.S.C. 1880–1881); services as authorized
20 by 5 U.S.C. 3109; authorized travel; maintenance and op-
21 eration of aircraft and purchase of flight services for re-
22 search support; acquisition of aircraft; \$3,642,340,000, of
23 which not to exceed \$306,230,000 shall remain available
24 until expended for Polar research and operations support,
25 and for reimbursement to other Federal agencies for oper-
26 ational and science support and logistical and other re-

1 lated activities for the United States Antarctic program;
2 the balance to remain available until September 30, 2003:
3 *Provided*, That receipts for scientific support services and
4 materials furnished by the National Research Centers and
5 other National Science Foundation supported research fa-
6 cilities may be credited to this appropriation: *Provided fur-*
7 *ther*, That to the extent that the amount appropriated is
8 less than the total amount authorized to be appropriated
9 for included program activities, all amounts, including
10 floors and ceilings, specified in the authorizing Act for
11 those program activities or their subactivities shall be re-
12 duced proportionally.

13 MAJOR RESEARCH FACILITIES CONSTRUCTION AND
14 EQUIPMENT

15 For necessary expenses of major construction
16 projects pursuant to the National Science Foundation Act
17 of 1950, as amended, including authorized travel,
18 \$135,300,000, to remain available until expended.

19 EDUCATION AND HUMAN RESOURCES

20 For necessary expenses in carrying out science and
21 engineering education and human resources programs and
22 activities pursuant to the National Science Foundation
23 Act of 1950, as amended (42 U.S.C. 1861–1875), includ-
24 ing services as authorized by 5 U.S.C. 3109, authorized
25 travel, and rental of conference rooms in the District of
26 Columbia, \$885,720,000, to remain available until Sep-

1 tember 30, 2003: *Provided*, That to the extent that the
2 amount of this appropriation is less than the total amount
3 authorized to be appropriated for included program activi-
4 ties, all amounts, including floors and ceilings, specified
5 in the authorizing Act for those program activities or their
6 subactivities shall be reduced proportionally.

7 SALARIES AND EXPENSES

8 For salaries and expenses necessary in carrying out
9 the National Science Foundation Act of 1950, as amended
10 (42 U.S.C. 1861–1875); services authorized by 5 U.S.C.
11 3109; hire of passenger motor vehicles; not to exceed
12 \$9,000 for official reception and representation expenses;
13 uniforms or allowances therefor, as authorized by 5 U.S.C.
14 5901–5902; rental of conference rooms in the District of
15 Columbia; reimbursement of the General Services Admin-
16 istration for security guard services; \$170,040,000: *Pro-*
17 *vided*, That contracts may be entered into under “Salaries
18 and expenses” in fiscal year 2002 for maintenance and
19 operation of facilities, and for other services, to be pro-
20 vided during the next fiscal year.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector
23 General as authorized by the Inspector General Act of
24 1978, as amended, \$6,760,000, to remain available until
25 September 30, 2003.

1 NEIGHBORHOOD REINVESTMENT CORPORATION
2 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
3 CORPORATION

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

11 SELECTIVE SERVICE SYSTEM
12 SALARIES AND EXPENSES

13 For necessary expenses of the Selective Service Sys-
14 tem, including expenses of attendance at meetings and of
15 training for uniformed personnel assigned to the Selective
16 Service System, as authorized by 5 U.S.C. 4101–4118 for
17 civilian employees; and not to exceed \$500 for official re-
18 ception and representation expenses; \$25,003,000: *Pro-*
19 *vided*, That during the current fiscal year, the President
20 may exempt this appropriation from the provisions of 31
21 U.S.C. 1341, whenever the President deems such action
22 to be necessary in the interest of national defense: *Pro-*
23 *vided further*, That none of the funds appropriated by this
24 Act may be expended for or in connection with the induc-

1 tion of any person into the Armed Forces of the United
2 States.

3 TITLE IV—GENERAL PROVISIONS

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

1 appropriations, the expenditures for travel may cor-
2 respondingly exceed the amounts therefor set forth in the
3 estimates only to the extent such an increase is approved
4 by the Committees on Appropriations.

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

12 SEC. 403. Funds of the Department of Housing and
13 Urban Development subject to the Government Corpora-
14 tion Control Act or section 402 of the Housing Act of
15 1950 shall be available, without regard to the limitations
16 on administrative expenses, for legal services on a contract
17 or fee basis, and for utilizing and making payment for
18 services and facilities of the Federal National Mortgage
19 Association, Government National Mortgage Association,
20 Federal Home Loan Mortgage Corporation, Federal Fi-
21 nancing Bank, Federal Reserve banks or any member
22 thereof, Federal Home Loan banks, and any insured bank
23 within the meaning of the Federal Deposit Insurance Cor-
24 poration Act, as amended (12 U.S.C. 1811–1831).

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

4 SEC. 405. No funds appropriated by this Act may be
5 expended—

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

8 (A) such certification is accompanied by,
9 or is part of, a voucher or abstract which de-
10 scribes the payee or payees and the items or
11 services for which such expenditure is being
12 made; or

13 (B) the expenditure of funds pursuant to
14 such certification, and without such a voucher
15 or abstract, is specifically authorized by law;
16 and

17 (2) unless such expenditure is subject to audit
18 by the General Accounting Office or is specifically
19 exempt by law from such audit.

20 SEC. 406. None of the funds provided in this Act to
21 any department or agency may be expended for the trans-
22 portation of any officer or employee of such department
23 or agency between the domicile and the place of employ-
24 ment of the officer or employee, with the exception of an

1 officer or employee authorized such transportation under
2 31 U.S.C. 1344 or 5 U.S.C. 7905.

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

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

18 SEC. 409. None of the funds provided in this Act may
19 be used to pay the expenses of, or otherwise compensate,
20 non-Federal parties intervening in regulatory or adjudica-
21 tory proceedings. Nothing herein affects the authority of
22 the Consumer Product Safety Commission pursuant to
23 section 7 of the Consumer Product Safety Act (15 U.S.C.
24 2056 et seq.).

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

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

1 or substantially includes any report prepared pursuant to
2 such contract, to contain information concerning: (A) the
3 contract pursuant to which the report was prepared; and
4 (B) the contractor who prepared the report pursuant to
5 such contract.

6 SEC. 412. Except as otherwise provided in section
7 406, none of the funds provided in this Act to any depart-
8 ment or agency shall be obligated or expended to provide
9 a personal cook, chauffeur, or other personal servants to
10 any officer or employee of such department or agency.

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

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

24 SEC. 415. (a) It is the sense of the Congress that,
25 to the greatest extent practicable, all equipment and prod-

1 icts purchased with funds made available in this Act
2 should be American-made.

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

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

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

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

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

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

19 SEC. 420. Notwithstanding any other provision of
20 law, the term “qualified student loan” with respect to na-
21 tional service education awards shall mean any loan deter-
22 mined by an institution of higher education to be nec-
23 essary to cover a student’s cost of attendance at such in-
24 stitution and made directly to a student by a state agency,

1 in addition to other meanings under section 148(b)(7) of
2 the National and Community Service Act.

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

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

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

1 in the lobbying of the Federal Government or in litigation
2 against the United States unless authorized under existing
3 law.

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

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

19 SEC. 426. Section 104(n)(4) of the Cerro Grande
20 Fire Assistance Act (Public Law 106–246) is amended by
21 striking “beginning not later than the expiration of the
22 1-year period beginning on the date of the enactment of
23 this Act.” and inserting in lieu thereof, “within 120 days
24 after the Director issues the report required by subsection
25 (n) in 2002 and 2003.”.

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”.

Union Calendar No. 94

107TH CONGRESS
1ST SESSION

H. R. 2620

[Report No. 107-159]

A BILL

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

JULY 25, 2001

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed