

# Union Calendar No. 355

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4577

[Report No. 106-645]

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 1, 2000

Mr. PORTER, 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

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## A BILL

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

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

1 Education, and related agencies for the fiscal year ending  
2 September 30, 2001, and for other purposes, namely:

3 TITLE I—DEPARTMENT OF LABOR

4 EMPLOYMENT AND TRAINING ADMINISTRATION

5 TRAINING AND EMPLOYMENT SERVICES

6 For necessary expenses of the Workforce Investment  
7 Act, including the purchase and hire of passenger motor  
8 vehicles, the construction, alteration, and repair of build-  
9 ings and other facilities, and the purchase of real property  
10 for training centers as authorized by the Workforce In-  
11 vestment Act; the Women in Apprenticeship and Non-  
12 traditional Occupations Act; and the National Skill Stand-  
13 ards Act of 1994; \$2,552,495,000 plus reimbursements,  
14 of which \$1,340,155,000 is available for obligation for the  
15 period July 1, 2001 through June 30, 2002; of which  
16 \$1,175,965,000 is available for obligation for the period  
17 April 1, 2001 through June 30, 2002, including  
18 \$1,000,965,000 to carry out chapter 4 of the Workforce  
19 Investment Act and \$175,000,000 to carry out section  
20 169 of such Act; and of which \$20,375,000 is available  
21 for the period July 1, 2001 through June 30, 2004 for  
22 necessary expenses of construction, rehabilitation, and ac-  
23 quisition of Job Corps centers: *Provided*, That \$9,098,000  
24 shall be for carrying out section 172 of the Workforce In-  
25 vestment Act, and \$3,500,000 shall be for carrying out

1 the National Skills Standards Act of 1994: *Provided fur-*  
2 *ther*, That no funds from any other appropriation shall  
3 be used to provide meal services at or for Job Corps cen-  
4 ters.

5 For necessary expenses of the Workforce Investment  
6 Act, including the purchase and hire of passenger motor  
7 vehicles, the construction, alteration, and repair of build-  
8 ings and other facilities, and the purchase of real property  
9 for training centers as authorized by the Workforce In-  
10 vestment Act; \$2,463,000,000 plus reimbursements, of  
11 which \$2,363,000,000 is available for obligation for the  
12 period October 1, 2001 through June 30, 2002; and of  
13 which \$100,000,000 is available for the period October 1,  
14 2001 through June 30, 2004, for necessary expenses of  
15 construction, rehabilitation, and acquisition of Job Corps  
16 centers.

17 COMMUNITY SERVICE EMPLOYMENT FOR OLDER  
18 AMERICANS

19 To carry out the activities for national grants or con-  
20 tracts with public agencies and public or private nonprofit  
21 organizations under paragraph (1)(A) of section 506(a)  
22 of title V of the Older Americans Act of 1965, as amended,  
23 or to carry out older worker activities as subsequently au-  
24 thorized, \$343,356,000.

25 To carry out the activities for grants to States under  
26 paragraph (3) of section 506(a) of title V of the Older

1 Americans Act of 1965, as amended, or to carry out older  
2 worker activities as subsequently authorized, \$96,844,000.

3 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

4 For payments during the current fiscal year of trade  
5 adjustment benefit payments and allowances under part  
6 I; and for training, allowances for job search and reloca-  
7 tion, and related State administrative expenses under part  
8 II, subchapters B and D, chapter 2, title II of the Trade  
9 Act of 1974, as amended, \$406,550,000, together with  
10 such amounts as may be necessary to be charged to the  
11 subsequent appropriation for payments for any period sub-  
12 sequent to September 15 of the current year.

13 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT  
14 SERVICE OPERATIONS

15 For authorized administrative expenses,  
16 \$43,452,000, together with not to exceed \$3,054,338,000  
17 (including not to exceed \$1,228,000 which may be used  
18 for amortization payments to States which had inde-  
19 pendent retirement plans in their State employment serv-  
20 ice agencies prior to 1980), which may be expended from  
21 the Employment Security Administration account in the  
22 Unemployment Trust Fund including the cost of admin-  
23 istering section 51 of the Internal Revenue Code of 1986,  
24 as amended, section 7(d) of the Wagner-Peyser Act, as  
25 amended, the Trade Act of 1974, as amended, the Immi-  
26 gration Act of 1990, and the Immigration and Nationality

1 Act, as amended, and of which the sums available in the  
2 allocation for activities authorized by title III of the Social  
3 Security Act, as amended (42 U.S.C. 502–504), and the  
4 sums available in the allocation for necessary administra-  
5 tive expenses for carrying out 5 U.S.C. 8501–8523, shall  
6 be available for obligation by the States through December  
7 31, 2001, except that funds used for automation acquisi-  
8 tions shall be available for obligation by the States  
9 through September 30, 2003; and of which \$43,452,000,  
10 together with not to exceed \$738,283,000 of the amount  
11 which may be expended from said trust fund, shall be  
12 available for obligation for the period July 1, 2001  
13 through June 30, 2002, to fund activities under the Act  
14 of June 6, 1933, as amended, including the cost of penalty  
15 mail authorized under 39 U.S.C. 3202(a)(1)(E) made  
16 available to States in lieu of allotments for such purpose:  
17 *Provided*, That to the extent that the Average Weekly In-  
18 sured Unemployment (AWIU) for fiscal year 2001 is pro-  
19 jected by the Department of Labor to exceed 2,396,000,  
20 an additional \$28,600,000 shall be available for obligation  
21 for every 100,000 increase in the AWIU level (including  
22 a pro rata amount for any increment less than 100,000)  
23 from the Employment Security Administration account of  
24 the Unemployment Trust Fund: *Provided further*, That  
25 funds appropriated in this Act which are used to establish

1 a national one-stop career center system, or which are  
2 used to support the national activities of the Federal-State  
3 unemployment insurance programs, may be obligated in  
4 contracts, grants or agreements with non-State entities:  
5 *Provided further*, That funds appropriated under this Act  
6 for activities authorized under the Wagner-Peyser Act, as  
7 amended, and title III of the Social Security Act, may be  
8 used by the States to fund integrated Employment Service  
9 and Unemployment Insurance automation efforts, not-  
10 withstanding cost allocation principles prescribed under  
11 Office of Management and Budget Circular A–87.

12 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND  
13 OTHER FUNDS

14 For repayable advances to the Unemployment Trust  
15 Fund as authorized by sections 905(d) and 1203 of the  
16 Social Security Act, as amended, and to the Black Lung  
17 Disability Trust Fund as authorized by section 9501(e)(1)  
18 of the Internal Revenue Code of 1954, as amended; and  
19 for nonrepayable advances to the Unemployment Trust  
20 Fund as authorized by section 8509 of title 5, United  
21 States Code, and to the “Federal unemployment benefits  
22 and allowances” account, to remain available until Sep-  
23 tember 30, 2002, \$435,000,000.

24 In addition, for making repayable advances to the  
25 Black Lung Disability Trust Fund in the current fiscal  
26 year after September 15, 2001, for costs incurred by the

1 Black Lung Disability Trust Fund in the current fiscal  
2 year, such sums as may be necessary.

3 PROGRAM ADMINISTRATION

4 For expenses of administering employment and train-  
5 ing programs, \$100,944,000, including \$6,431,000 to sup-  
6 port up to 75 full-time equivalent staff, the majority of  
7 which will be term Federal appointments lasting no more  
8 than one year, to administer welfare-to-work grants, to-  
9 gether with not to exceed \$45,056,000, which may be ex-  
10 pended from the Employment Security Administration ac-  
11 count in the Unemployment Trust Fund.

12 PENSION AND WELFARE BENEFITS ADMINISTRATION

13 SALARIES AND EXPENSES

14 For necessary expenses for the Pension and Welfare  
15 Benefits Administration, \$98,934,000.

16 PENSION BENEFIT GUARANTY CORPORATION

17 PENSION BENEFIT GUARANTY CORPORATION FUND

18 The Pension Benefit Guaranty Corporation is author-  
19 ized to make such expenditures, including financial assist-  
20 ance authorized by section 104 of Public Law 96-364,  
21 within limits of funds and borrowing authority available  
22 to such Corporation, and in accord with law, and to make  
23 such contracts and commitments without regard to fiscal  
24 year limitations as provided by section 104 of the Govern-  
25 ment Corporation Control Act, as amended (31 U.S.C.  
26 9104), as may be necessary in carrying out the program

1 through September 30, 2001, for such Corporation: *Pro-*  
2 *vided*, That not to exceed \$11,148,000 shall be available  
3 for administrative expenses of the Corporation: *Provided*  
4 *further*, That expenses of such Corporation in connection  
5 with the termination of pension plans, for the acquisition,  
6 protection or management, and investment of trust assets,  
7 and for benefits administration services shall be consid-  
8 ered as non-administrative expenses for the purposes here-  
9 of, and excluded from the above limitation.

10           EMPLOYMENT STANDARDS ADMINISTRATION

11                           SALARIES AND EXPENSES

12           For necessary expenses for the Employment Stand-  
13 ards Administration, including reimbursement to State,  
14 Federal, and local agencies and their employees for inspec-  
15 tion services rendered, \$337,030,000, together with  
16 \$1,740,000 which may be expended from the Special Fund  
17 in accordance with sections 39(c), 44(d) and 44(j) of the  
18 Longshore and Harbor Workers' Compensation Act: *Pro-*  
19 *vided*, That \$2,000,000 shall be for the development of  
20 an alternative system for the electronic submission of re-  
21 ports as required to be filed under the Labor-Management  
22 Reporting and Disclosure Act of 1959, as amended, and  
23 for a computer database of the information for each sub-  
24 mission by whatever means, that is indexed and easily  
25 searchable by the public via the Internet: *Provided further*,



1 That the Secretary of Labor is authorized to accept, re-  
2 tain, and spend, until expended, in the name of the De-  
3 partment of Labor, all sums of money ordered to be paid  
4 to the Secretary of Labor, in accordance with the terms  
5 of the Consent Judgment in Civil Action No. 91-0027 of  
6 the United States District Court for the District of the  
7 Northern Mariana Islands (May 21, 1992): *Provided fur-*  
8 *ther*, That the Secretary of Labor is authorized to estab-  
9 lish and, in accordance with 31 U.S.C. 3302, collect and  
10 deposit in the Treasury fees for processing applications  
11 and issuing certificates under sections 11(d) and 14 of the  
12 Fair Labor Standards Act of 1938, as amended (29  
13 U.S.C. 211(d) and 214) and for processing applications  
14 and issuing registrations under title I of the Migrant and  
15 Seasonal Agricultural Worker Protection Act (29 U.S.C.  
16 1801 et seq.).

17 SPECIAL BENEFITS

18 (INCLUDING TRANSFER OF FUNDS)

19 For the payment of compensation, benefits, and ex-  
20 penses (except administrative expenses) accruing during  
21 the current or any prior fiscal year authorized by title 5,  
22 chapter 81 of the United States Code; continuation of ben-  
23 efits as provided for under the heading “Civilian War Ben-  
24 efits” in the Federal Security Agency Appropriation Act,  
25 1947; the Employees’ Compensation Commission Appro-  
26 priation Act, 1944; sections 4(c) and 5(f) of the War

1 Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per-  
2 cent of the additional compensation and benefits required  
3 by section 10(h) of the Longshore and Harbor Workers'  
4 Compensation Act, as amended, \$56,000,000 together  
5 with such amounts as may be necessary to be charged to  
6 the subsequent year appropriation for the payment of  
7 compensation and other benefits for any period subse-  
8 quent to August 15 of the current year: *Provided*, That  
9 amounts appropriated may be used under section 8104 of  
10 title 5, United States Code, by the Secretary of Labor to  
11 reimburse an employer, who is not the employer at the  
12 time of injury, for portions of the salary of a reemployed,  
13 disabled beneficiary: *Provided further*, That balances of re-  
14 imbursements unobligated on September 30, 2000, shall  
15 remain available until expended for the payment of com-  
16 pensation, benefits, and expenses: *Provided further*, That  
17 in addition there shall be transferred to this appropriation  
18 from the Postal Service and from any other corporation  
19 or instrumentality required under section 8147(c) of title  
20 5, United States Code, to pay an amount for its fair share  
21 of the cost of administration, such sums as the Secretary  
22 determines to be the cost of administration for employees  
23 of such fair share entities through September 30, 2001:  
24 *Provided further*, That of those funds transferred to this  
25 account from the fair share entities to pay the cost of ad-

1 ministration, \$30,510,000 shall be made available to the  
2 Secretary as follows: (1) for the operation of and enhance-  
3 ment to the automated data processing systems, including  
4 document imaging, medical bill review, and periodic roll  
5 management, in support of Federal Employees' Com-  
6 pensation Act administration, \$19,971,000; (2) for con-  
7 version to a paperless office, \$7,005,000; (3) for commu-  
8 nications redesign, \$750,000; (4) for information tech-  
9 nology maintenance and support, \$2,784,000; and (5) the  
10 remaining funds shall be paid into the Treasury as mis-  
11 cellaneous receipts: *Provided further*, That the Secretary  
12 may require that any person filing a notice of injury or  
13 a claim for benefits under chapter 81 of title 5, United  
14 States Code, or 33 U.S.C. 901 et seq., provide as part  
15 of such notice and claim, such identifying information (in-  
16 cluding Social Security account number) as such regula-  
17 tions may prescribe.

18                   BLACK LUNG DISABILITY TRUST FUND  
19                   (INCLUDING TRANSFER OF FUNDS)

20       For payments from the Black Lung Disability Trust  
21 Fund, \$1,028,000,000, of which \$975,343,000 shall be  
22 available until September 30, 2002, for payment of all  
23 benefits as authorized by section 9501(d)(1), (2), (4), and  
24 (7) of the Internal Revenue Code of 1954, as amended,  
25 and interest on advances as authorized by section  
26 9501(e)(2) of that Act, and of which \$30,393,000 shall

1 be available for transfer to Employment Standards Ad-  
2 ministration, Salaries and Expenses, \$21,590,000 for  
3 transfer to Departmental Management, Salaries and Ex-  
4 penses, \$318,000 for transfer to Departmental Manage-  
5 ment, Office of Inspector General, and \$356,000 for pay-  
6 ment into miscellaneous receipts for the expenses of the  
7 Department of Treasury, for expenses of operation and  
8 administration of the Black Lung Benefits program as au-  
9 thorized by section 9501(d)(5) of that Act: *Provided,*  
10 That, in addition, such amounts as may be necessary may  
11 be charged to the subsequent year appropriation for the  
12 payment of compensation, interest, or other benefits for  
13 any period subsequent to August 15 of the current year.

14 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION  
15 SALARIES AND EXPENSES

16 For necessary expenses for the Occupational Safety  
17 and Health Administration, \$381,620,000, including not  
18 to exceed \$83,771,000 which shall be the maximum  
19 amount available for grants to States under section 23(g)  
20 of the Occupational Safety and Health Act, which grants  
21 shall be no less than 50 percent of the costs of State occu-  
22 pational safety and health programs required to be in-  
23 curred under plans approved by the Secretary under sec-  
24 tion 18 of the Occupational Safety and Health Act of  
25 1970; and, in addition, notwithstanding 31 U.S.C. 3302,

1 the Occupational Safety and Health Administration may  
2 retain up to \$750,000 per fiscal year of training institute  
3 course tuition fees, otherwise authorized by law to be col-  
4 lected, and may utilize such sums for occupational safety  
5 and health training and education grants: *Provided*, That,  
6 notwithstanding 31 U.S.C. 3302, the Secretary of Labor  
7 is authorized, during the fiscal year ending September 30,  
8 2001, to collect and retain fees for services provided to  
9 Nationally Recognized Testing Laboratories, and may uti-  
10 lize such sums, in accordance with the provisions of 29  
11 U.S.C. 9a, to administer national and international lab-  
12 oratory recognition programs that ensure the safety of  
13 equipment and products used by workers in the workplace:  
14 *Provided further*, That none of the funds appropriated  
15 under this paragraph shall be obligated or expended to  
16 prescribe, issue, administer, or enforce any standard, rule,  
17 regulation, or order under the Occupational Safety and  
18 Health Act of 1970 which is applicable to any person who  
19 is engaged in a farming operation which does not maintain  
20 a temporary labor camp and employs 10 or fewer employ-  
21 ees: *Provided further*, That no funds appropriated under  
22 this paragraph shall be obligated or expended to admin-  
23 ister or enforce any standard, rule, regulation, or order  
24 under the Occupational Safety and Health Act of 1970  
25 with respect to any employer of 10 or fewer employees

1 who is included within a category having an occupational  
2 injury lost workday case rate, at the most precise Stand-  
3 ard Industrial Classification Code for which such data are  
4 published, less than the national average rate as such  
5 rates are most recently published by the Secretary, acting  
6 through the Bureau of Labor Statistics, in accordance  
7 with section 24 of that Act (29 U.S.C. 673), except—

8           (1) to provide, as authorized by such Act, con-  
9           sultation, technical assistance, educational and train-  
10          ing services, and to conduct surveys and studies;

11          (2) to conduct an inspection or investigation in  
12          response to an employee complaint, to issue a cita-  
13          tion for violations found during such inspection, and  
14          to assess a penalty for violations which are not cor-  
15          rected within a reasonable abatement period and for  
16          any willful violations found;

17          (3) to take any action authorized by such Act  
18          with respect to imminent dangers;

19          (4) to take any action authorized by such Act  
20          with respect to health hazards;

21          (5) to take any action authorized by such Act  
22          with respect to a report of an employment accident  
23          which is fatal to one or more employees or which re-  
24          sults in hospitalization of two or more employees,

1 and to take any action pursuant to such investiga-  
2 tion authorized by such Act; and

3 (6) to take any action authorized by such Act  
4 with respect to complaints of discrimination against  
5 employees for exercising rights under such Act:

6 *Provided further*, That the foregoing proviso shall not  
7 apply to any person who is engaged in a farming operation  
8 which does not maintain a temporary labor camp and em-  
9 ploys 10 or fewer employees.

10 MINE SAFETY AND HEALTH ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses for the Mine Safety and  
13 Health Administration, \$233,000,000, including purchase  
14 and bestowal of certificates and trophies in connection  
15 with mine rescue and first-aid work, and the hire of pas-  
16 senger motor vehicles; and, in addition, not to exceed  
17 \$750,000 may be collected by the National Mine Health  
18 and Safety Academy for room, board, tuition, and the sale  
19 of training materials, otherwise authorized by law to be  
20 collected, to be available for mine safety and health edu-  
21 cation and training activities, notwithstanding 31 U.S.C.  
22 3302; the Secretary is authorized to accept lands, build-  
23 ings, equipment, and other contributions from public and  
24 private sources and to prosecute projects in cooperation  
25 with other agencies, Federal, State, or private; the Mine

1 Safety and Health Administration is authorized to pro-  
2 mote health and safety education and training in the min-  
3 ing community through cooperative programs with States,  
4 industry, and safety associations; and any funds available  
5 to the department may be used, with the approval of the  
6 Secretary, to provide for the costs of mine rescue and sur-  
7 vival operations in the event of a major disaster.

8 BUREAU OF LABOR STATISTICS

9 SALARIES AND EXPENSES

10 For necessary expenses for the Bureau of Labor Sta-  
11 tistics, including advances or reimbursements to State,  
12 Federal, and local agencies and their employees for serv-  
13 ices rendered, \$372,743,000, together with not to exceed  
14 \$67,257,000, which may be expended from the Employ-  
15 ment Security Administration account in the Unemploy-  
16 ment Trust Fund.

17 DEPARTMENTAL MANAGEMENT

18 SALARIES AND EXPENSES

19 For necessary expenses for Departmental Manage-  
20 ment, including the hire of three sedans, and including  
21 up to \$7,241,000 for the President's Committee on Em-  
22 ployment of People With Disabilities, and including the  
23 management or operation of Departmental bilateral and  
24 multilateral foreign technical assistance, \$244,579,000;  
25 together with not to exceed \$310,000, which may be ex-



1 pending from the Employment Security Administration ac-  
2 count in the Unemployment Trust Fund: *Provided*, That  
3 no funds made available by this Act may be used by the  
4 Solicitor of Labor to participate in a review in any United  
5 States court of appeals of any decision made by the Bene-  
6 fits Review Board under section 21 of the Longshore and  
7 Harbor Workers' Compensation Act (33 U.S.C. 921)  
8 where such participation is precluded by the decision of  
9 the United States Supreme Court in *Director, Office of*  
10 *Workers' Compensation Programs v. Newport News Ship-*  
11 *building*, 115 S. Ct. 1278 (1995), notwithstanding any  
12 provisions to the contrary contained in rule 15 of the Fed-  
13 eral Rules of Appellate Procedure: *Provided further*, That  
14 no funds made available by this Act may be used by the  
15 Secretary of Labor to review a decision under the  
16 Longshore and Harbor Workers' Compensation Act (33  
17 U.S.C. 901 et seq.) that has been appealed and that has  
18 been pending before the Benefits Review Board for more  
19 than 12 months: *Provided further*, That any such decision  
20 pending a review by the Benefits Review Board for more  
21 than 1 year shall be considered affirmed by the Benefits  
22 Review Board on the 1-year anniversary of the filing of  
23 the appeal, and shall be considered the final order of the  
24 Board for purposes of obtaining a review in the United  
25 States courts of appeals: *Provided further*, That these pro-

1 visions shall not be applicable to the review or appeal of  
2 any decision issued under the Black Lung Benefits Act  
3 (30 U.S.C. 901 et seq.).

4 ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT  
5 AND TRAINING

6 Not to exceed \$184,341,000 may be derived from the  
7 Employment Security Administration account in the Un-  
8 employment Trust Fund to carry out the provisions of 38  
9 U.S.C. 4100–4110A, 4212, 4214, and 4321–4327, and  
10 Public Law 103–353, and which shall be available for obli-  
11 gation by the States through December 31, 2001. To  
12 carry out the Stewart B. McKinney Homeless Assistance  
13 Act and section 168 of the Workforce Investment Act of  
14 1998, \$16,936,000, of which \$7,300,000 shall be available  
15 for obligation for the period July 1, 2001, through June  
16 30, 2002.

17 OFFICE OF INSPECTOR GENERAL

18 For salaries and expenses of the Office of Inspector  
19 General in carrying out the provisions of the Inspector  
20 General Act of 1978, as amended, \$48,095,000, together  
21 with not to exceed \$3,830,000, which may be expended  
22 from the Employment Security Administration account in  
23 the Unemployment Trust Fund.

24 GENERAL PROVISIONS

25 SEC. 101. None of the funds appropriated in this title  
26 for the Job Corps shall be used to pay the compensation

1 of an individual, either as direct costs or any proration  
2 as an indirect cost, at a rate in excess of Executive Level  
3 II.

4 (TRANSFER OF FUNDS)

5 SEC. 102. Not to exceed 1 percent of any discre-  
6 tionary funds (pursuant to the Balanced Budget and  
7 Emergency Deficit Control Act of 1985, as amended)  
8 which are appropriated for the current fiscal year for the  
9 Department of Labor in this Act may be transferred be-  
10 tween appropriations, but no such appropriation shall be  
11 increased by more than 3 percent by any such transfer:  
12 *Provided*, That the Appropriations Committees of both  
13 Houses of Congress are notified at least 15 days in ad-  
14 vance of any transfer.

15 SEC. 103. None of the funds made available in this  
16 Act may be used by the Occupational Safety and Health  
17 Administration to promulgate, issue, implement, admin-  
18 ister, or enforce any proposed, temporary, or final stand-  
19 ard on ergonomic protection.

20 This title may be cited as the “Department of Labor  
21 Appropriations Act, 2001”.

1 TITLE II—DEPARTMENT OF HEALTH AND  
2 HUMAN SERVICES  
3 HEALTH RESOURCES AND SERVICES ADMINISTRATION  
4 HEALTH RESOURCES AND SERVICES

5 For carrying out titles II, III, VII, VIII, X, XII, XIX,  
6 and XXVI of the Public Health Service Act, section  
7 427(a) of the Federal Coal Mine Health and Safety Act,  
8 title V and section 1820 of the Social Security Act, the  
9 Health Care Quality Improvement Act of 1986, as amend-  
10 ed, and the Native Hawaiian Health Care Act of 1988,  
11 as amended, \$4,684,232,000, of which \$25,000,000 from  
12 general revenues, notwithstanding section 1820(j) of the  
13 Social Security Act, shall be available for carrying out the  
14 Medicare rural hospital flexibility grants program under  
15 section 1820 of such Act: *Provided*, That the Division of  
16 Federal Occupational Health may utilize personal services  
17 contracting to employ professional management/adminis-  
18 trative and occupational health professionals: *Provided*  
19 *further*, That of the funds made available under this head-  
20 ing, \$250,000 shall be available until expended for facili-  
21 ties renovations at the Gillis W. Long Hansen's Disease  
22 Center: *Provided further*, That in addition to fees author-  
23 ized by section 427(b) of the Health Care Quality Im-  
24 provement Act of 1986, fees shall be collected for the full  
25 disclosure of information under the Act sufficient to re-

1 cover the full costs of operating the National Practitioner  
2 Data Bank, and shall remain available until expended to  
3 carry out that Act: *Provided further*, That for the collec-  
4 tion of fees authorized by section 1128E(d)(2) of the  
5 Health Insurance Portability and Accountability Act of  
6 1996 for the full disclosure of information under the Act  
7 sufficient to recover the full costs of operating the  
8 Healthcare Integrity and Protection Data Bank, and shall  
9 remain available until expended to carry out that Act: *Pro-*  
10 *vided further*, That no more than \$5,000,000 is available  
11 for carrying out the provisions of Public Law 104–73: *Pro-*  
12 *vided further*, That of the funds made available under this  
13 heading, \$238,932,000 shall be for the program under  
14 title X of the Public Health Service Act to provide for  
15 voluntary family planning projects: *Provided further*, That  
16 amounts provided to said projects under such title shall  
17 not be expended for abortions, that all pregnancy coun-  
18 seling shall be nondirective, and that such amounts shall  
19 not be expended for any activity (including the publication  
20 or distribution of literature) that in any way tends to pro-  
21 mote public support or opposition to any legislative pro-  
22 posal or candidate for public office: *Provided further*, That  
23 \$554,000,000 shall be for State AIDS Drug Assistance  
24 Programs authorized by section 2616 of the Public Health  
25 Service Act: *Provided further*, That, notwithstanding sec-

1 tion 502(a)(1) of the Social Security Act, not to exceed  
2 \$109,148,000 is available for carrying out special projects  
3 of regional and national significance pursuant to section  
4 501(a)(2) of such Act.

5 For special projects of regional and national signifi-  
6 cance under section 501(a)(2) of the Social Security Act,  
7 \$30,000,000, which shall become available on October 1,  
8 2001, and shall remain available until September 30,  
9 2002: *Provided*, That such amount shall not be counted  
10 toward compliance with the allocation required in section  
11 502(a)(1) of such Act: *Provided further*, That such  
12 amount shall be used only for making competitive grants  
13 to provide abstinence education (as defined in section  
14 510(b)(2) of such Act) to adolescents and for evaluations  
15 (including longitudinal evaluations) of activities under the  
16 grants and for Federal costs of administering the grants:  
17 *Provided further*, That grants shall be made only to public  
18 and private entities which agree that, with respect to an  
19 adolescent to whom the entities provide abstinence edu-  
20 cation under such grant, the entities will not provide to  
21 that adolescent any other education regarding sexual con-  
22 duct, except that, in the case of an entity expressly re-  
23 quired by law to provide health information or services the  
24 adolescent shall not be precluded from seeking health in-  
25 formation or services from the entity in a different setting

1 than the setting in which the abstinence education was  
2 provided: *Provided further*, That the funds expended for  
3 such evaluations may not exceed 3.5 percent of such  
4 amount.

5 HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

6 Such sums as may be necessary to carry out the pur-  
7 pose of the program, as authorized by title VII of the Pub-  
8 lic Health Service Act, as amended. For administrative ex-  
9 penses to carry out the guaranteed loan program, includ-  
10 ing section 709 of the Public Health Service Act,  
11 \$3,679,000.

12 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

13 For payments from the Vaccine Injury Compensation  
14 Program Trust Fund, such sums as may be necessary for  
15 claims associated with vaccine-related injury or death with  
16 respect to vaccines administered after September 30,  
17 1988, pursuant to subtitle 2 of title XXI of the Public  
18 Health Service Act, to remain available until expended:  
19 *Provided*, That for necessary administrative expenses, not  
20 to exceed \$2,992,000 shall be available from the Trust  
21 Fund to the Secretary of Health and Human Services.

22 CENTERS FOR DISEASE CONTROL AND PREVENTION

23 DISEASE CONTROL, RESEARCH, AND TRAINING

24 To carry out titles II, III, VII, XI, XV, XVII, XIX,  
25 and XXVI of the Public Health Service Act, sections 101,  
26 102, 103, 201, 202, 203, 301, and 501 of the Federal

1 Mine Safety and Health Act of 1977, sections 20, 21, and  
2 22 of the Occupational Safety and Health Act of 1970,  
3 title IV of the Immigration and Nationality Act, and sec-  
4 tion 501 of the Refugee Education Assistance Act of 1980;  
5 including insurance of official motor vehicles in foreign  
6 countries; and hire, maintenance, and operation of air-  
7 craft, \$3,290,369,000, of which \$145,000,000 shall re-  
8 main available until expended for equipment and construc-  
9 tion and renovation of facilities, and in addition, such  
10 sums as may be derived from authorized user fees, which  
11 shall be credited to this account: *Provided*, That in addi-  
12 tion to amounts provided herein, up to \$71,690,000 shall  
13 be available from amounts available under section 241 of  
14 the Public Health Service Act, to carry out the National  
15 Center for Health Statistics surveys: *Provided further*,  
16 That none of the funds made available for injury preven-  
17 tion and control at the Centers for Disease Control and  
18 Prevention may be used to advocate or promote gun con-  
19 trol: *Provided further*, That the Director may redirect the  
20 total amount made available under authority of Public  
21 Law 101-502, section 3, dated November 3, 1990, to ac-  
22 tivities the Director may so designate: *Provided further*,  
23 That the Congress is to be notified promptly of any such  
24 transfer: *Provided further*, That notwithstanding any other  
25 provision of law, a single contract or related contracts for



1 the development and construction of laboratory building  
2 18 may be employed which collectively include the full  
3 scope of the project: *Provided further*, That the solicitation  
4 and contract shall contain the clause “availability of  
5 funds” found at 48 CFR 52.232–18: *Provided further*,  
6 That not to exceed \$10,000,000 may be available for mak-  
7 ing grants under section 1509 of the Public Health Service  
8 Act to not more than 10 States.

9 NATIONAL INSTITUTES OF HEALTH

10 NATIONAL CANCER INSTITUTE

11 For carrying out section 301 and title IV of the Pub-  
12 lic Health Service Act with respect to cancer,  
13 \$3,793,587,000.

14 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

15 For carrying out section 301 and title IV of the Pub-  
16 lic Health Service Act with respect to cardiovascular, lung,  
17 and blood diseases, and blood and blood products,  
18 \$2,321,320,000.

19 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL

20 RESEARCH

21 For carrying out section 301 and title IV of the Pub-  
22 lic Health Service Act with respect to dental disease,  
23 \$309,007,000.

1 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND  
2 KIDNEY DISEASES

3 For carrying out section 301 and title IV of the Pub-  
4 lic Health Service Act with respect to diabetes and diges-  
5 tive and kidney disease, \$1,315,530,000.

6 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS  
7 AND STROKE

8 For carrying out section 301 and title IV of the Pub-  
9 lic Health Service Act with respect to neurological dis-  
10 orders and stroke, \$1,185,767,000.

11 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS  
12 DISEASES

13 For carrying out section 301 and title IV of the Pub-  
14 lic Health Service Act with respect to allergy and infec-  
15 tious diseases, \$2,062,126,000.

16 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

17 For carrying out section 301 and title IV of the Pub-  
18 lic Health Service Act with respect to general medical  
19 sciences, \$1,548,313,000.

20 NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN  
21 DEVELOPMENT

22 For carrying out section 301 and title IV of the Pub-  
23 lic Health Service Act with respect to child health and  
24 human development, \$984,300,000.

## 1 NATIONAL EYE INSTITUTE

2 For carrying out section 301 and title IV of the Pub-  
3 lic Health Service Act with respect to eye diseases and  
4 visual disorders, \$514,673,000.

5 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH  
6 SCIENCES

7 For carrying out sections 301 and 311 and title IV  
8 of the Public Health Service Act with respect to environ-  
9 mental health sciences, \$506,730,000.

## 10 NATIONAL INSTITUTE ON AGING

11 For carrying out section 301 and title IV of the Pub-  
12 lic Health Service Act with respect to aging,  
13 \$790,299,000.

14 NATIONAL INSTITUTE OF ARTHRITIS AND  
15 MUSCULOSKELETAL AND SKIN DISEASES

16 For carrying out section 301 and title IV of the Pub-  
17 lic Health Service Act with respect to arthritis and mus-  
18 culoskeletal and skin diseases, \$400,025,000.

19 NATIONAL INSTITUTE ON DEAFNESS AND OTHER  
20 COMMUNICATION DISORDERS

21 For carrying out section 301 and title IV of the Pub-  
22 lic Health Service Act with respect to deafness and other  
23 communication disorders, \$301,787,000.

1 NATIONAL INSTITUTE OF NURSING RESEARCH

2 For carrying out section 301 and title IV of the Pub-  
3 lic Health Service Act with respect to nursing research,  
4 \$102,312,000.

5 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND  
6 ALCOHOLISM

7 For carrying out section 301 and title IV of the Pub-  
8 lic Health Service Act with respect to alcohol abuse and  
9 alcoholism, \$349,216,000.

10 NATIONAL INSTITUTE ON DRUG ABUSE

11 For carrying out section 301 and title IV of the Pub-  
12 lic Health Service Act with respect to drug abuse,  
13 \$788,201,000.

14 NATIONAL INSTITUTE OF MENTAL HEALTH

15 For carrying out section 301 and title IV of the Pub-  
16 lic Health Service Act with respect to mental health,  
17 \$1,114,638,000.

18 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

19 For carrying out section 301 and title IV of the Pub-  
20 lic Health Service Act with respect to human genome re-  
21 search, \$386,410,000.

22 NATIONAL CENTER FOR RESEARCH RESOURCES

23 For carrying out section 301 and title IV of the Pub-  
24 lic Health Service Act with respect to research resources  
25 and general research support grants, \$832,027,000: *Pro-*  
26 *vided*, That none of these funds shall be used to pay recipi-

1 ents of the general research support grants program any  
2 amount for indirect expenses in connection with such  
3 grants: *Provided further*, That \$75,000,000 shall be for  
4 extramural facilities construction grants.

5 JOHN E. FOGARTY INTERNATIONAL CENTER

6 For carrying out the activities at the John E.  
7 Fogarty International Center, \$50,299,000.

8 NATIONAL LIBRARY OF MEDICINE

9 For carrying out section 301 and title IV of the Pub-  
10 lic Health Service Act with respect to health information  
11 communications, \$256,281,000, of which \$4,000,000 shall  
12 be available until expended for improvement of informa-  
13 tion systems: *Provided*, That in fiscal year 2001, the Li-  
14 brary may enter into personal services contracts for the  
15 provision of services in facilities owned, operated, or con-  
16 structed under the jurisdiction of the National Institutes  
17 of Health.

18 NATIONAL CENTER FOR COMPLEMENTARY AND  
19 ALTERNATIVE MEDICINE

20 For carrying out section 301 and title IV of the Pub-  
21 lic Health Service Act with respect to complementary and  
22 alternative medicine, \$78,880,000.

23 OFFICE OF THE DIRECTOR

24 (INCLUDING TRANSFER OF FUNDS)

25 For carrying out the responsibilities of the Office of  
26 the Director, National Institutes of Health, \$342,307,000,

1 of which \$48,271,000 shall be for the Office of AIDS Re-  
2 search: *Provided*, That funding shall be available for the  
3 purchase of not to exceed 20 passenger motor vehicles for  
4 replacement only: *Provided further*, That the Director may  
5 direct up to 1 percent of the total amount made available  
6 in this or any other Act to all National Institutes of  
7 Health appropriations to activities the Director may so  
8 designate: *Provided further*, That no such appropriation  
9 shall be decreased by more than 1 percent by any such  
10 transfers and that the Congress is promptly notified of  
11 the transfer: *Provided further*, That the National Insti-  
12 tutes of Health is authorized to collect third party pay-  
13 ments for the cost of clinical services that are incurred  
14 in National Institutes of Health research facilities and  
15 that such payments shall be credited to the National Insti-  
16 tutes of Health Management Fund: *Provided further*, That  
17 all funds credited to the National Institutes of Health  
18 Management Fund shall remain available for one fiscal  
19 year after the fiscal year in which they are deposited: *Pro-*  
20 *vided further*, That up to \$500,000 shall be available to  
21 carry out section 499 of the Public Health Service Act:  
22 *Provided further*, That, notwithstanding section  
23 499(k)(10) of the Public Health Service Act, funds from  
24 the Foundation for the National Institutes of Health may  
25 be transferred to the National Institutes of Health.

## 1 BUILDINGS AND FACILITIES

2 For the study of, construction of, and acquisition of  
3 equipment for, facilities of or used by the National Insti-  
4 tutes of Health, including the acquisition of real property,  
5 \$178,700,000, to remain available until expended, of  
6 which \$47,300,000 shall be for the National Neuroscience  
7 Research Center: *Provided*, That notwithstanding any  
8 other provision of law, a single contract or related con-  
9 tracts for the development and construction of the first  
10 phase of the National Neuroscience Research Center may  
11 be employed which collectively include the full scope of the  
12 project: *Provided further*, That the solicitation and con-  
13 tract shall contain the clause “availability of funds” found  
14 at 48 CFR 52.232–18.

## 15 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

## 16 ADMINISTRATION

## 17 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

18 For carrying out titles V and XIX of the Public  
19 Health Service Act with respect to substance abuse and  
20 mental health services, the Protection and Advocacy for  
21 Mentally Ill Individuals Act of 1986, and section 301 of  
22 the Public Health Service Act with respect to program  
23 management, \$2,727,626,000.

1 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

2 HEALTHCARE RESEARCH AND QUALITY

3 For carrying out titles III and IX of the Public  
4 Health Service Act, and part A of title XI of the Social  
5 Security Act, \$123,669,000; in addition, amounts received  
6 from Freedom of Information Act fees, reimbursable and  
7 interagency agreements, and the sale of data shall be cred-  
8 ited to this appropriation and shall remain available until  
9 expended: *Provided*, That the amount made available pur-  
10 suant to section 926(b) of the Public Health Service Act  
11 shall not exceed \$99,980,000.

12 HEALTH CARE FINANCING ADMINISTRATION

13 GRANTS TO STATES FOR MEDICAID

14 For carrying out, except as otherwise provided, titles  
15 XI and XIX of the Social Security Act, \$93,586,251,000,  
16 to remain available until expended.

17 For making, after May 31, 2001, payments to States  
18 under title XIX of the Social Security Act for the last  
19 quarter of fiscal year 2001 for unanticipated costs, in-  
20 curred for the current fiscal year, such sums as may be  
21 necessary.

22 For making payments to States or in the case of sec-  
23 tion 1928 on behalf of States under title XIX of the Social  
24 Security Act for the first quarter of fiscal year 2002,  
25 \$36,207,551,000, to remain available until expended.



1 Payment under title XIX may be made for any quar-  
2 ter with respect to a State plan or plan amendment in  
3 effect during such quarter, if submitted in or prior to such  
4 quarter and approved in that or any subsequent quarter.

5 PAYMENTS TO HEALTH CARE TRUST FUNDS

6 For payment to the Federal Hospital Insurance and  
7 the Federal Supplementary Medical Insurance Trust  
8 Funds, as provided under sections 217(g) and 1844 of the  
9 Social Security Act, sections 103(c) and 111(d) of the So-  
10 cial Security Amendments of 1965, section 278(d) of Pub-  
11 lic Law 97–248, and for administrative expenses incurred  
12 pursuant to section 201(g) of the Social Security Act,  
13 \$70,381,600,000.

14 PROGRAM MANAGEMENT

15 For carrying out, except as otherwise provided, titles  
16 XI, XVIII, XIX, and XXI of the Social Security Act, titles  
17 XIII and XXVII of the Public Health Service Act, and  
18 the Clinical Laboratory Improvement Amendments of  
19 1988, not to exceed \$1,866,302,000, to be transferred  
20 from the Federal Hospital Insurance and the Federal Sup-  
21 plementary Medical Insurance Trust Funds, as authorized  
22 by section 201(g) of the Social Security Act; together with  
23 all funds collected in accordance with section 353 of the  
24 Public Health Service Act and such sums as may be col-  
25 lected from authorized user fees and the sale of data,  
26 which shall remain available until expended, and together

1 with administrative fees collected relative to Medicare  
2 overpayment recovery activities, which shall remain avail-  
3 able until expended: *Provided*, That all funds derived in  
4 accordance with 31 U.S.C. 9701 from organizations estab-  
5 lished under title XIII of the Public Health Service Act  
6 shall be credited to and available for carrying out the pur-  
7 poses of this appropriation: *Provided further*, That  
8 \$18,000,000 appropriated under this heading for the man-  
9 aged care system redesign shall remain available until ex-  
10 pended: *Provided further*, That the Secretary of Health  
11 and Human Services is directed to collect fees in fiscal  
12 year 2001 from Medicare+Choice organizations pursuant  
13 to section 1857(e)(2) of the Social Security Act and from  
14 eligible organizations with risk-sharing contracts under  
15 section 1876 of that Act pursuant to section  
16 1876(k)(4)(D) of that Act: *Provided further*, That, for the  
17 current fiscal year, not more than \$630,000,000 may be  
18 made available under section 1817(k)(4) of the Social Se-  
19 curity Act (42 U.S.C. 1395i(k)(4)) from the Health Care  
20 Fraud and Abuse Control Account of the Federal Hospital  
21 Insurance Trust Fund to carry out the Medicare Integrity  
22 Program under section 1893 of such Act.

23 HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN  
24 GUARANTEE FUND

25 For carrying out subsections (d) and (e) of section  
26 1308 of the Public Health Service Act, any amounts re-

1 ceived by the Secretary in connection with loans and loan  
2 guarantees under title XIII of the Public Health Service  
3 Act, to be available without fiscal year limitation for the  
4 payment of outstanding obligations. During fiscal year  
5 2001, no commitments for direct loans or loan guarantees  
6 shall be made.

7       ADMINISTRATION FOR CHILDREN AND FAMILIES

8               PAYMENTS TO STATES FOR CHILD SUPPORT

9               ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

10       For making payments to States or other non-Federal  
11 entities under titles I, IV–D, X, XI, XIV, and XVI of the  
12 Social Security Act and the Act of July 5, 1960 (24  
13 U.S.C. ch. 9), \$2,473,800,000, to remain available until  
14 expended; and for such purposes for the first quarter of  
15 fiscal year 2002, \$1,000,000,000.

16       For making payments to each State for carrying out  
17 the program of Aid to Families with Dependent Children  
18 under title IV–A of the Social Security Act before the ef-  
19 fective date of the program of Temporary Assistance to  
20 Needy Families (TANF) with respect to such State, such  
21 sums as may be necessary: *Provided*, That the sum of the  
22 amounts available to a State with respect to expenditures  
23 under such title IV–A in fiscal year 1997 under this ap-  
24 propriation and under such title IV–A as amended by the  
25 Personal Responsibility and Work Opportunity Reconcili-

1 ation Act of 1996 shall not exceed the limitations under  
2 section 116(b) of such Act.

3 For making, after May 31 of the current fiscal year,  
4 payments to States or other non-Federal entities under  
5 titles I, IV–D, X, XI, XIV, and XVI of the Social Security  
6 Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for  
7 the last 3 months of the current year for unanticipated  
8 costs, incurred for the current fiscal year, such sums as  
9 may be necessary.

10 LOW INCOME HOME ENERGY ASSISTANCE

11 For making payments under title XXVI of the Omni-  
12 bus Budget Reconciliation Act of 1981, \$1,100,000,000,  
13 to be available for obligation in the period October 1, 2001  
14 through September 30, 2002.

15 For making payments under title XXVI of such Act,  
16 \$300,000,000: *Provided*, That these funds are hereby des-  
17 ignated by Congress to be emergency requirements pursu-  
18 ant to section 251(b)(2)(A) of the Balanced Budget and  
19 Emergency Deficit Control Act of 1985: *Provided further*,  
20 That these funds shall be made available only after sub-  
21 mission to Congress of a formal budget request by the  
22 President that includes designation of the entire amount  
23 of the request as an emergency requirement as defined in  
24 the Balanced Budget and Emergency Deficit Control Act  
25 of 1985.

## 1 REFUGEE AND ENTRANT ASSISTANCE

2 For making payments for refugee and entrant assist-  
3 ance activities authorized by title IV of the Immigration  
4 and Nationality Act and section 501 of the Refugee Edu-  
5 cation Assistance Act of 1980 (Public Law 96-422),  
6 \$423,109,000: *Provided*, That funds appropriated pursu-  
7 ant to section 414(a) of the Immigration and Nationality  
8 Act for fiscal year 2001 shall be available for the costs  
9 of assistance provided and other activities through Sep-  
10 tember 30, 2003.

11 For carrying out section 5 of the Torture Victims Re-  
12 lief Act of 1998 (Public Law 105-320), \$10,000,000.

13 PAYMENTS TO STATES FOR THE CHILD CARE AND  
14 DEVELOPMENT BLOCK GRANT

15 For carrying out sections 658A through 658R of the  
16 Omnibus Budget Reconciliation Act of 1981 (The Child  
17 Care and Development Block Grant Act of 1990), in addi-  
18 tion to amounts already appropriated for fiscal year 2001,  
19 \$400,000,000; and to become available on October 1,  
20 2001 and remain available through September 30, 2002,  
21 \$2,000,000,000: *Provided*, That of the funds appropriated  
22 for each of fiscal years 2001 and 2002, \$19,120,000 shall  
23 be available for child care resource and referral and  
24 school-aged child care activities: *Provided further*, That of  
25 the funds provided for fiscal year 2002, \$172,672,000  
26 shall be reserved by the States for activities authorized

1 under section 658G of the Omnibus Budget Reconciliation  
2 Act of 1981 (The Child Care and Development Block  
3 Grant Act of 1990), such funds to be in addition to the  
4 amounts required to be reserved by the States under sec-  
5 tion 658G.

6 SOCIAL SERVICES BLOCK GRANT

7 For making grants to States pursuant to section  
8 2002 of the Social Security Act, \$1,700,000,000: *Pro-*  
9 *vided*, That notwithstanding section 2003(c) of such Act,  
10 as amended, the amount specified for allocation under  
11 such section for fiscal year 2001 shall be \$1,700,000,000.

12 CHILDREN AND FAMILIES SERVICES PROGRAMS

13 (INCLUDING RESCISSIONS)

14 For carrying out, except as otherwise provided, the  
15 Runaway and Homeless Youth Act, the Developmental  
16 Disabilities Assistance and Bill of Rights Act, the Head  
17 Start Act, the Child Abuse Prevention and Treatment Act,  
18 the Native American Programs Act of 1974, title II of  
19 Public Law 95–266 (adoption opportunities), the Adoption  
20 and Safe Families Act of 1997 (Public Law 105–89), the  
21 Abandoned Infants Assistance Act of 1988, part B(1) of  
22 title IV and sections 413, 429A, 1110, and 1115 of the  
23 Social Security Act, and sections 40155, 40211, and  
24 40241 of Public law 103–322; for making payments under  
25 the Community Services Block Grant Act, section 473A  
26 of the Social Security Act, and title IV of Public Law 105–

1 285; and for necessary administrative expenses to carry  
2 out said Acts and titles I, IV, X, XI, XIV, XVI, and XX  
3 of the Social Security Act, the Act of July 5, 1960 (24  
4 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of  
5 1981, title IV of the Immigration and Nationality Act, sec-  
6 tion 501 of the Refugee Education Assistance Act of 1980,  
7 section 5 of the Torture Victims Relief Act of 1998 (Public  
8 Law 105–320), sections 40155, 40211, and 40241 of Pub-  
9 lic Law 103–322 and section 126 and titles IV and V of  
10 Public Law 100–485, \$7,231,253,000, of which  
11 \$43,000,000, to remain available until September 30,  
12 2002, shall be for grants to States for adoption incentive  
13 payments, as authorized by section 473A of title IV of the  
14 Social Security Act (42 U.S.C. 670–679); of which  
15 \$595,376,000 shall be for making payments under the  
16 Community Services Block Grant Act; and of which  
17 \$5,667,000,000 shall be for making payments under the  
18 Head Start Act, of which \$1,400,000,000 shall become  
19 available October 1, 2001 and remain available through  
20 September 30, 2002: *Provided*, That to the extent Com-  
21 munity Services Block Grant funds are distributed as  
22 grant funds by a State to an eligible entity as provided  
23 under the Act, and have not been expended by such entity,  
24 they shall remain with such entity for carryover into the

1 next fiscal year for expenditure by such entity consistent  
2 with program purposes.

3 Funds appropriated for fiscal year 2001 under sec-  
4 tion 429A(e), part B of title IV of the Social Security Act  
5 shall be reduced by \$6,000,000.

6 Funds appropriated for fiscal year 2001 under sec-  
7 tion 413(h)(1) of the Social Security Act shall be reduced  
8 by \$15,000,000.

9 PROMOTING SAFE AND STABLE FAMILIES

10 For carrying out section 430 of the Social Security  
11 Act, \$305,000,000.

12 PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION

13 ASSISTANCE

14 For making payments to States or other non-Federal  
15 entities under title IV–E of the Social Security Act,  
16 \$4,863,100,000;

17 For making payments to States or other non-Federal  
18 entities under title IV–E of the Social Security Act, for  
19 the first quarter of fiscal year 2002, \$1,735,900,000.

20 ADMINISTRATION ON AGING

21 AGING SERVICES PROGRAMS

22 For carrying out, to the extent not otherwise pro-  
23 vided, the Older Americans Act of 1965, as amended, and  
24 section 398 of the Public Health Service Act,  
25 \$925,805,000: *Provided*, That notwithstanding section  
26 308(b)(1) of the Older Americans Act of 1965, as amend-



1 ed, the amounts available to each State for administration  
2 of the State plan under title III of such Act shall be re-  
3 duced not more than 5 percent below the amount that was  
4 available to such State for such purpose for fiscal year  
5 1995: *Provided further*, That in considering grant applica-  
6 tions for nutrition services for elder Indian recipients, the  
7 Assistant Secretary shall provide maximum flexibility to  
8 applicants who seek to take into account subsistence, local  
9 customs, and other characteristics that are appropriate to  
10 the unique cultural, regional, and geographic needs of the  
11 American Indian, Alaska and Hawaiian Native commu-  
12 nities to be served.

13 OFFICE OF THE SECRETARY

14 GENERAL DEPARTMENTAL MANAGEMENT

15 For necessary expenses, not otherwise provided, for  
16 general departmental management, including hire of six  
17 sedans, and for carrying out titles III, XVII, and XX of  
18 the Public Health Service Act, and the United States-Mex-  
19 ico Border Health Commission Act, \$206,780,000, to-  
20 gether with \$5,851,000, to be transferred and expended  
21 as authorized by section 201(g)(1) of the Social Security  
22 Act from the Hospital Insurance Trust Fund and the Sup-  
23 plemental Medical Insurance Trust Fund.

24 OFFICE OF INSPECTOR GENERAL

25 For expenses necessary for the Office of Inspector  
26 General in carrying out the provisions of the Inspector

1 General Act of 1978, as amended, \$31,394,000: *Provided*,  
2 That, for the current fiscal year, not more than  
3 \$120,000,000 may be made available under section  
4 1817(k)(3)(A) of the Social Security Act (42 U.S.C.  
5 1395i(k)(3)(A)) from the Health Care Fraud and Abuse  
6 Control Account of the Federal Hospital Insurance Trust  
7 Fund for purposes of the activities of the Office of Inspec-  
8 tor General with respect to the Medicare and Medicaid  
9 programs.

10 OFFICE FOR CIVIL RIGHTS

11 For expenses necessary for the Office for Civil  
12 Rights, \$18,774,000, together with not to exceed  
13 \$3,314,000, to be transferred and expended as authorized  
14 by section 201(g)(1) of the Social Security Act from the  
15 Hospital Insurance Trust Fund and the Supplemental  
16 Medical Insurance Trust Fund.

17 POLICY RESEARCH

18 For carrying out, to the extent not otherwise pro-  
19 vided, research studies under section 1110 of the Social  
20 Security Act, \$16,738,000.

21 RETIREMENT PAY AND MEDICAL BENEFITS FOR

22 COMMISSIONED OFFICERS

23 For retirement pay and medical benefits of Public  
24 Health Service Commissioned Officers as authorized by  
25 law, for payments under the Retired Serviceman's Family  
26 Protection Plan and Survivor Benefit Plan, for medical

1 care of dependents and retired personnel under the De-  
2 pendents' Medical Care Act (10 U.S.C. ch. 55), and for  
3 payments pursuant to section 229(b) of the Social Secu-  
4 rity Act (42 U.S.C. 429(b)), such amounts as may be re-  
5 quired during the current fiscal year.

6 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

7 FUND

8 For expenses necessary to support activities related  
9 to countering potential biological, disease and chemical  
10 threats to civilian populations, \$236,600,000: *Provided*,  
11 That this amount is distributed as follows: Centers for  
12 Disease Control and Prevention, \$182,000,000, of which  
13 \$30,000,000 shall be for the Health Alert Network; and  
14 Office of Emergency Preparedness, \$54,600,000. In addi-  
15 tion, \$114,040,000 shall be available to the Centers for  
16 Disease Control and Prevention for the following activi-  
17 ties: \$61,000,000 for international HIV/AIDS programs;  
18 \$25,000,000 for global polio eradication activities;  
19 \$18,040,000 for continued study of the anthrax vaccine;  
20 and \$10,000,000 for activities related to the West Nile-  
21 like virus. In addition, \$100,000,000 shall be available to  
22 support the Ricky Ray Hemophilia Relief Fund Act of  
23 1988: *Provided further*, That, notwithstanding any other  
24 provision of law, up to \$8,000,000 of the amount provided  
25 for the Ricky Ray Hemophilia Relief Fund Act may be  
26 available for administrative expenses of the Health Re-

1 sources and Services Administration. In addition,  
 2 \$50,000,000 shall be available to the Office of the Sec-  
 3 retary for minority AIDS prevention and treatment activi-  
 4 ties: *Provided further*, That the entire amount under this  
 5 heading is hereby designated by the Congress to be emer-  
 6 gency requirements pursuant to section 251(b)(2)(A) of  
 7 the Balanced Budget and Emergency Deficit Control Act  
 8 of 1985, as amended: *Provided further*, That the entire  
 9 amount under this heading shall be made available only  
 10 after submission to the Congress of a formal budget re-  
 11 quest by the President that includes designation of the en-  
 12 tire amount of the request as an emergency requirement  
 13 as defined in the Balanced Budget and Emergency Deficit  
 14 Control Act of 1985, as amended: *Provided further*, That  
 15 no funds shall be obligated until the Department of Health  
 16 and Human Services submits an operating plan to the  
 17 House and Senate Committees on Appropriations.

18 **GENERAL PROVISIONS**

19 **SEC. 201.** Funds appropriated in this title shall be  
 20 available for not to exceed \$37,000 for official reception  
 21 and representation expenses when specifically approved by  
 22 the Secretary.

23 **SEC. 202.** The Secretary shall make available through  
 24 assignment not more than 60 employees of the Public  
 25 Health Service to assist in child survival activities and to

1 work in AIDS programs through and with funds provided  
2 by the Agency for International Development, the United  
3 Nations International Children's Emergency Fund or the  
4 World Health Organization.

5       SEC. 203. None of the funds appropriated under this  
6 Act may be used to implement section 399L(b) of the Pub-  
7 lic Health Service Act or section 1503 of the National In-  
8 stitutes of Health Revitalization Act of 1993, Public Law  
9 103-43.

10       SEC. 204. None of the funds appropriated in this Act  
11 for the National Institutes of Health and the Substance  
12 Abuse and Mental Health Services Administration shall  
13 be used to pay the salary of an individual, through a grant  
14 or other extramural mechanism, at a rate in excess of Ex-  
15 ecutive Level I.

16       SEC. 205. None of the funds appropriated in this Act  
17 may be expended pursuant to section 241 of the Public  
18 Health Service Act, except for funds specifically provided  
19 for in this Act, or for other taps and assessments made  
20 by any office located in the Department of Health and  
21 Human Services, prior to the Secretary's preparation and  
22 submission of a report to the Committee on Appropria-  
23 tions of the Senate and of the House detailing the planned  
24 uses of such funds.

## (TRANSFER OF FUNDS)

1  
2       SEC. 206. Not to exceed 1 percent of any discre-  
3 tionary funds (pursuant to the Balanced Budget and  
4 Emergency Deficit Control Act of 1985, as amended)  
5 which are appropriated for the current fiscal year for the  
6 Department of Health and Human Services in this Act  
7 may be transferred between appropriations, but no such  
8 appropriation shall be increased by more than 3 percent  
9 by any such transfer: *Provided*, That the Appropriations  
10 Committees of both Houses of Congress are notified at  
11 least 15 days in advance of any transfer: *Provided further*,  
12 That this section shall not apply to funds appropriated  
13 under the heading “Centers for Disease Control and Pre-  
14 vention-Disease Control, Research, and Training”, funds  
15 made available to the Centers for Disease Control and  
16 Prevention under the heading “Public Health and Social  
17 Services Emergency Fund”, or any other funds made  
18 available in this Act to the Centers for Disease Control  
19 and Prevention.

20       SEC. 207. The Director of the National Institutes of  
21 Health, jointly with the Director of the Office of AIDS  
22 Research, may transfer up to 3 percent among institutes,  
23 centers, and divisions from the total amounts identified  
24 by these two Directors as funding for research pertaining

1 to the human immunodeficiency virus: *Provided*, That the  
2 Congress is promptly notified of the transfer.

3       SEC. 208. Of the amounts made available in this Act  
4 for the National Institutes of Health, the amount for re-  
5 search related to the human immunodeficiency virus, as  
6 jointly determined by the Director of the National Insti-  
7 tutes of Health and the Director of the Office of AIDS  
8 Research, shall be made available to the “Office of AIDS  
9 Research” account. The Director of the Office of AIDS  
10 Research shall transfer from such account amounts nec-  
11 essary to carry out section 2353(d)(3) of the Public  
12 Health Service Act.

13       SEC. 209. None of the funds appropriated in this Act  
14 may be made available to any entity under title X of the  
15 Public Health Service Act unless the applicant for the  
16 award certifies to the Secretary that it encourages family  
17 participation in the decision of minors to seek family plan-  
18 ning services and that it provides counseling to minors on  
19 how to resist attempts to coerce minors into engaging in  
20 sexual activities.

21       SEC. 210. None of the funds appropriated by this Act  
22 (including funds appropriated to any trust fund) may be  
23 used to carry out the Medicare+Choice program if the  
24 Secretary denies participation in such program to an oth-  
25 erwise eligible entity (including a Provider Sponsored Or-

1 ganization) because the entity informs the Secretary that  
2 it will not provide, pay for, provide coverage of, or provide  
3 referrals for abortions: *Provided*, That the Secretary shall  
4 make appropriate prospective adjustments to the capita-  
5 tion payment to such an entity (based on an actuarially  
6 sound estimate of the expected costs of providing the serv-  
7 ice to such entity's enrollees): *Provided further*, That noth-  
8 ing in this section shall be construed to change the Medi-  
9 care program's coverage for such services and a  
10 Medicare+Choice organization described in this section  
11 shall be responsible for informing enrollees where to obtain  
12 information about all Medicare covered services.

13       SEC. 211. SUBSTANCE ABUSE.—With respect to fis-  
14 cal year 2001, the amount of an allotment of a State  
15 under section 1921 of the Public Health Services Act shall  
16 not be less than the amount the State received under such  
17 section for fiscal year 2000 increased by 33.33 percent  
18 of the percentage by which the amount allotted to the  
19 States for fiscal year 2001 exceeds the amount allotted  
20 to the States for fiscal year 2000.

21       SEC. 212. Notwithstanding any other provision of  
22 law, no provider of services under title X of the Public  
23 Health Service Act shall be exempt from any State law  
24 requiring notification or the reporting of child abuse, child  
25 molestation, sexual abuse, rape, or incest.



1           SEC. 213. None of the funds in this Act or any other  
 2 Act may be used to obligate funds for the National Insti-  
 3 tutes of Health in excess of the total amount identified  
 4 for this purpose for fiscal year 2001 in the President's  
 5 budget request (H. Doc 106–162): *Provided*, That none  
 6 of the funds made available for each Institute, Center, Of-  
 7 fice, or Buildings and Facilities shall be reduced below the  
 8 amounts shown in the budget request column of the table  
 9 printed in the report accompanying the bill making appro-  
 10 priations for the Departments of Labor, Health and  
 11 Human Services, Education, and Related Agencies for fis-  
 12 cal year 2001.

13           This title may be cited as the “Department of Health  
 14 and Human Services Appropriations Act, 2001”.

### 15           TITLE III—DEPARTMENT OF EDUCATION

#### 16                                           EDUCATION REFORM

17           For carrying out activities authorized by sections  
 18 3122, 3132, 3136, and 3141, parts B and C of title III,  
 19 and part I of title X of the Elementary and Secondary  
 20 Education Act of 1965, \$1,505,000,000, of which  
 21 \$119,500,000 shall be for section 3122: *Provided*, That  
 22 up to one-half of 1 percent of the amount available under  
 23 section 3132 shall be set aside for the outlying areas, to  
 24 be distributed on the basis of their relative need as deter-  
 25 mined by the Secretary in accordance with the purposes

1 of the program: *Provided further*, That if any State edu-  
2 cational agency does not apply for a grant under section  
3 3132, that State's allotment under section 3131 shall be  
4 reserved by the Secretary for grants to local educational  
5 agencies in that State that apply directly to the Secretary  
6 according to the terms and conditions published by the  
7 Secretary in the Federal Register.

8 EDUCATION FOR THE DISADVANTAGED

9 For carrying out title I of the Elementary and Sec-  
10 ondary Education Act of 1965, and section 418A of the  
11 Higher Education Act of 1965, \$8,816,986,000, of which  
12 \$2,569,823,000 shall become available on July 1, 2001,  
13 and shall remain available through September 30, 2002,  
14 and of which \$6,204,763,000 shall become available on  
15 October 1, 2001 and shall remain available through Sep-  
16 tember 30, 2002, for academic year 2001–2002: *Provided*,  
17 That \$6,783,000,000 shall be available for basic grants  
18 under section 1124: *Provided further*, That up to  
19 \$3,500,000 of these funds shall be available to the Sec-  
20 retary on October 1, 2000, to obtain updated local-edu-  
21 cational-agency-level census poverty data from the Bureau  
22 of the Census: *Provided further*, That \$1,158,397,000  
23 shall be available for concentration grants under section  
24 1124A: *Provided further*, That \$8,900,000 shall be avail-  
25 able for evaluations under section 1501 and not more than  
26 \$8,500,000 shall be reserved for section 1308, of which

1 not more than \$3,000,000 shall be reserved for section  
2 1308(d): *Provided further*, That \$190,000,000 shall be  
3 available under section 1002(g)(2) to demonstrate effec-  
4 tive approaches to comprehensive school reform to be allo-  
5 cated and expended in accordance with the instructions  
6 relating to this activity in the statement of the managers  
7 on the conference report accompanying Public Law 105-  
8 78 and in the statement of the managers on the conference  
9 report accompanying Public Law 105-277: *Provided fur-*  
10 *ther*, That in carrying out this initiative, the Secretary and  
11 the States shall support only approaches that show the  
12 most promise of enabling children served by title I to meet  
13 challenging State content standards and challenging State  
14 student performance standards based on reliable research  
15 and effective practices, and include an emphasis on basic  
16 academics and parental involvement.

17 IMPACT AID

18 For carrying out programs of financial assistance to  
19 federally affected schools authorized by title VIII of the  
20 Elementary and Secondary Education Act of 1965,  
21 \$985,000,000, of which \$780,000,000 shall be for basic  
22 support payments under section 8003(b), \$50,000,000  
23 shall be for payments for children with disabilities under  
24 section 8003(d), \$82,000,000, to remain available until  
25 expended, shall be for payments under section 8003(f),  
26 \$25,000,000 shall be for construction under section 8007,

1 \$40,000,000 shall be for Federal property payments under  
2 section 8002, and \$8,000,000, to remain available until  
3 expended, shall be for facilities maintenance under section  
4 8008.

5 SCHOOL IMPROVEMENT PROGRAMS

6 For carrying out school improvement activities au-  
7 thorized by titles IV, V-A and B, VI, IX, X, and XIII  
8 of the Elementary and Secondary Education Act of 1965  
9 (“ESEA”); the Stewart B. McKinney Homeless Assist-  
10 ance Act; the Civil Rights Act of 1964; and part B of  
11 title VIII of the Higher Education Act of 1965;  
12 \$3,165,334,000, of which \$1,073,500,000 shall become  
13 available on July 1, 2001, and remain available through  
14 September 30, 2002, and of which \$1,515,000,000 shall  
15 become available on October 1, 2001 and shall remain  
16 available through September 30, 2002 for academic year  
17 2001–2002: *Provided*, That of the amount appropriated,  
18 \$1,750,000,000 shall be for the Teacher Empowerment  
19 Act, if such legislation is enacted.

20 READING EXCELLENCE

21 For necessary expenses to carry out the Reading Ex-  
22 cellence Act, \$65,000,000, which shall become available on  
23 July 1, 2001 and shall remain available through Sep-  
24 tember 30, 2002 and \$195,000,000 which shall become  
25 available on October 1, 2001 and remain available through  
26 September 30, 2002.

## 1 INDIAN EDUCATION

2 For expenses necessary to carry out, to the extent  
3 not otherwise provided, title IX, part A of the Elementary  
4 and Secondary Education Act of 1965, as amended,  
5 \$107,765,000.

## 6 BILINGUAL AND IMMIGRANT EDUCATION

7 For carrying out, to the extent not otherwise pro-  
8 vided, bilingual, foreign language and immigrant edu-  
9 cation activities authorized by parts A and C and section  
10 7203 of title VII of the Elementary and Secondary Edu-  
11 cation Act of 1965, without regard to section 7103(b),  
12 \$406,000,000: *Provided*, That State educational agencies  
13 may use all, or any part of, their part C allocation for  
14 competitive grants to local educational agencies.

## 15 SPECIAL EDUCATION

16 For carrying out the Individuals with Disabilities  
17 Education Act, \$6,550,161,000, of which \$2,557,885,000  
18 shall become available for obligation on July 1, 2001, and  
19 shall remain available through September 30, 2002, and  
20 of which \$3,742,000,000 shall become available on Octo-  
21 ber 1, 2001 and shall remain available through September  
22 30, 2002, for academic year 2001–2002: *Provided*, That  
23 \$9,500,000 shall be for Recording for the Blind and  
24 Dyslexic to support the development, production, and cir-  
25 culation of recorded educational materials.

## 1 REHABILITATION SERVICES AND DISABILITY RESEARCH

2 For carrying out, to the extent not otherwise pro-  
3 vided, the Rehabilitation Act of 1973, the Assistive Tech-  
4 nology Act of 1998, and the Helen Keller National Center  
5 Act, \$2,776,803,000: *Provided*, That notwithstanding sec-  
6 tion 105(b)(1) of the Assistive Technology Act of 1998  
7 (“the AT Act”), each State shall be provided \$50,000 for  
8 activities under section 102 of the AT Act.

9 SPECIAL INSTITUTIONS FOR PERSONS WITH  
10 DISABILITIES

## 11 AMERICAN PRINTING HOUSE FOR THE BLIND

12 For carrying out the Act of March 3, 1879, as  
13 amended (20 U.S.C. 101 et seq.), \$11,000,000.

## 14 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

15 For the National Technical Institute for the Deaf  
16 under titles I and II of the Education of the Deaf Act  
17 of 1986 (20 U.S.C. 4301 et seq.), \$54,000,000, of which  
18 \$6,000,000 shall be for construction and shall remain  
19 available until expended: *Provided*, That from the total  
20 amount available, the Institute may at its discretion use  
21 funds for the endowment program as authorized under  
22 section 207.

## 23 GALLAUDET UNIVERSITY

24 For the Kendall Demonstration Elementary School,  
25 the Model Secondary School for the Deaf, and the partial  
26 support of Gallaudet University under titles I and II of

1 the Education of the Deaf Act of 1986 (20 U.S.C. 4301  
2 et seq.), \$89,400,000: *Provided*, That from the total  
3 amount available, the University may at its discretion use  
4 funds for the endowment program as authorized under  
5 section 207.

6 VOCATIONAL AND ADULT EDUCATION

7 For carrying out, to the extent not otherwise pro-  
8 vided, the Carl D. Perkins Vocational and Technical Edu-  
9 cation Act and the Adult Education and Family Literacy  
10 Act, \$1,718,600,000, of which \$1,000,000 shall remain  
11 available until expended, and of which \$923,000,000 shall  
12 become available on July 1, 2001 and shall remain avail-  
13 able through September 30, 2002 and of which  
14 \$791,000,000 shall become available on October 1, 2001  
15 and shall remain available through September 30, 2002:  
16 *Provided*, That of the amounts made available for the Carl  
17 D. Perkins Vocational and Technical Education Act,  
18 \$4,600,000 shall be for tribally controlled vocational insti-  
19 tutions under section 117: *Provided further*, That of the  
20 amount provided for Adult Education State Grants,  
21 \$25,500,000 shall be made available for integrated  
22 English literacy and civics education services to immi-  
23 grants and other limited English proficient populations:  
24 *Provided further*, That of the amount reserved for inte-  
25 grated English literacy and civics education, half shall be  
26 allocated to the States with the largest absolute need for

1 such services and half shall be allocated to the States with  
2 the largest recent growth in need for such services, based  
3 on the best available data, notwithstanding section 211 of  
4 the Adult Education and Family Literacy Act: *Provided*  
5 *further*, That of the amounts made available for the Adult  
6 Education and Family Literacy Act, \$14,000,000 shall be  
7 for national leadership activities under section 243 and  
8 \$6,500,000 shall be for the National Institute for Literacy  
9 under section 242.

10 **STUDENT FINANCIAL ASSISTANCE**

11 For carrying out subparts 1 and 3 of part A, part  
12 C and part E of title IV of the Higher Education Act of  
13 1965, as amended, \$10,198,000,000, which shall remain  
14 available through September 30, 2002.

15 The maximum Pell Grant for which a student shall  
16 be eligible during award year 2001–2002 shall be \$3,500:  
17 *Provided*, That notwithstanding section 401(g) of the Act,  
18 if the Secretary determines, prior to publication of the  
19 payment schedule for such award year, that the amount  
20 included within this appropriation for Pell Grant awards  
21 in such award year, and any funds available from the fis-  
22 cal year 2000 appropriation for Pell Grant awards, are  
23 insufficient to satisfy fully all such awards for which stu-  
24 dents are eligible, as calculated under section 401(b) of  
25 the Act, the amount paid for each such award shall be  
26 reduced by either a fixed or variable percentage, or by a



1 fixed dollar amount, as determined in accordance with a  
2 schedule of reductions established by the Secretary for this  
3 purpose.

4 FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

5 For Federal administrative expenses to carry out  
6 guaranteed student loans authorized by title IV, part B,  
7 of the Higher Education Act of 1965, as amended,  
8 \$48,000,000.

9 HIGHER EDUCATION

10 For carrying out, to the extent not otherwise pro-  
11 vided, section 121 and titles II, III, IV, V, VI, VII, and  
12 VIII of the Higher Education Act of 1965, as amended,  
13 and the Mutual Educational and Cultural Exchange Act  
14 of 1961; \$1,688,081,000, of which \$10,000,000 for inter-  
15 est subsidies authorized by section 121 of the Higher Edu-  
16 cation Act of 1965, shall remain available until expended:  
17 *Provided*, That \$10,000,000, to remain available through  
18 September 30, 2002, shall be available to fund fellowships  
19 for academic year 2002–2003 under part A, subpart 1 of  
20 title VII of said Act, under the terms and conditions of  
21 part A, subpart 1: *Provided further*, That \$3,000,000 is  
22 for data collection and evaluation activities for programs  
23 under the Higher Education Act of 1965, including such  
24 activities needed to comply with the Government Perform-  
25 ance and Results Act of 1993.

## 1 HOWARD UNIVERSITY

2 For partial support of Howard University (20 U.S.C.  
3 121 et seq.), \$226,474,000, of which not less than  
4 \$3,600,000 shall be for a matching endowment grant pur-  
5 suant to the Howard University Endowment Act (Public  
6 Law 98-480) and shall remain available until expended.

## 7 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS

## 8 PROGRAM

9 For Federal administrative expenses authorized  
10 under section 121 of the Higher Education Act of 1965,  
11 \$737,000 to carry out activities related to existing facility  
12 loans entered into under the Higher Education Act of  
13 1965.

## 14 HISTORICALLY BLACK COLLEGE AND UNIVERSITY

## 15 CAPITAL FINANCING PROGRAM ACCOUNT

16 The total amount of bonds insured pursuant to sec-  
17 tion 344 of title III, part D of the Higher Education Act  
18 of 1965 shall not exceed \$357,000,000, and the cost, as  
19 defined in section 502 of the Congressional Budget Act  
20 of 1974, of such bonds shall not exceed zero.

21 For administrative expenses to carry out the Histori-  
22 cally Black College and University Capital Financing Pro-  
23 gram entered into pursuant to title III, part D of the  
24 Higher Education Act of 1965, as amended, \$207,000.

1 EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

2 For carrying out activities authorized by the Edu-  
3 cational Research, Development, Dissemination, and Im-  
4 provement Act of 1994, including part E; the National  
5 Education Statistics Act of 1994, including sections 411  
6 and 412; section 2102 of title II, and parts A, B, and  
7 K and sections 10105 and 10601 of title X, and part C  
8 of title XIII of the Elementary and Secondary Education  
9 Act of 1965, as amended, and title VI of Public Law 103-  
10 227, \$494,367,000: *Provided*, That \$50,000,000 shall be  
11 available to demonstrate effective approaches to com-  
12 prehensive school reform, to be allocated and expended in  
13 accordance with the instructions relating to this activity  
14 in the statement of managers on the conference report ac-  
15 companying Public Law 105-78 and in the statement of  
16 the managers on the conference report accompanying Pub-  
17 lic Law 105-277: *Provided further*, That the funds made  
18 available for comprehensive school reform shall become  
19 available on July 1, 2001, and remain available through  
20 September 30, 2002, and in carrying out this initiative,  
21 the Secretary and the States shall support only ap-  
22 proaches that show the most promise of enabling children  
23 to meet challenging State content standards and chal-  
24 lenging State student performance standards based on re-  
25 liable research and effective practices, and include an em-

1 phasis on basic academics and parental involvement: *Pro-*  
2 *vided further*, That \$30,000,000 of the funds provided for  
3 the national education research institutes shall be allo-  
4 cated notwithstanding section 912(m)(1)(B–F) and sub-  
5 paragraphs (B) and (C) of section 931(c)(2) of Public  
6 Law 103–227: *Provided further*, That \$45,000,000 shall  
7 be available to support activities under section 10105 of  
8 part A of title X of the Elementary and Secondary Edu-  
9 cation Act of 1965, of which up to \$2,250,000 may be  
10 available for evaluation, technical assistance, and school  
11 networking activities: *Provided further*, That funds made  
12 available to local educational agencies under this section  
13 shall be used only for activities related to establishing  
14 smaller learning communities in high schools: *Provided*  
15 *further*, That funds made available for section 10105 of  
16 part A of title X of the Elementary and Secondary Edu-  
17 cation Act of 1965 shall become available on July 1, 2001,  
18 and remain available through September 30, 2002.

19 DEPARTMENTAL MANAGEMENT

20 PROGRAM ADMINISTRATION

21 For carrying out, to the extent not otherwise pro-  
22 vided, the Department of Education Organization Act, in-  
23 cluding rental of conference rooms in the District of Co-  
24 lumbia and hire of two passenger motor vehicles,  
25 \$382,934,000.

1                                   OFFICE FOR CIVIL RIGHTS

2           For expenses necessary for the Office for Civil  
3 Rights, as authorized by section 203 of the Department  
4 of Education Organization Act, \$71,200,000.

5                                   OFFICE OF INSPECTOR GENERAL

6           For expenses necessary for the Office of Inspector  
7 General, as authorized by section 212 of the Department  
8 of Education Organization Act, \$34,000,000.

9                                   GENERAL PROVISIONS

10          SEC. 301. No funds appropriated in this Act may be  
11 used for the transportation of students or teachers (or for  
12 the purchase of equipment for such transportation) in  
13 order to overcome racial imbalance in any school or school  
14 system, or for the transportation of students or teachers  
15 (or for the purchase of equipment for such transportation)  
16 in order to carry out a plan of racial desegregation of any  
17 school or school system.

18          SEC. 302. None of the funds contained in this Act  
19 shall be used to require, directly or indirectly, the trans-  
20 portation of any student to a school other than the school  
21 which is nearest the student's home, except for a student  
22 requiring special education, to the school offering such  
23 special education, in order to comply with title VI of the  
24 Civil Rights Act of 1964. For the purpose of this section  
25 an indirect requirement of transportation of students in-  
26 cludes the transportation of students to carry out a plan

1 involving the reorganization of the grade structure of  
2 schools, the pairing of schools, or the clustering of schools,  
3 or any combination of grade restructuring, pairing or clus-  
4 tering. The prohibition described in this section does not  
5 include the establishment of magnet schools.

6       SEC. 303. No funds appropriated under this Act may  
7 be used to prevent the implementation of programs of vol-  
8 untary prayer and meditation in the public schools.

9       SEC. 304. (a) INTERNET FILTERING.—No funds  
10 made available under title III of the Elementary and Sec-  
11 ondary Education Act of 1965 to a local educational agen-  
12 cy or elementary or secondary school may be used to pur-  
13 chase computers used to access the Internet, or to pay  
14 for direct costs associated with accessing the Internet, un-  
15 less such agency or school has in place, on computers that  
16 are accessible to minors, and during use by such minors,  
17 technology which filters or blocks—

18               (1) material that is obscene;

19               (2) child pornography; and

20               (3) material harmful to minors.

21       (b) DISABLING DURING ADULT USE.—An adminis-  
22 trator, supervisor, or other authority may disable the tech-  
23 nology described in subsection (a) during use by an adult,  
24 to enable unfiltered access for bona fide research or other  
25 lawful purposes.

1           (c) RULE OF CONSTRUCTION.—Nothing in this sec-  
2 tion shall be construed to prohibit a local educational  
3 agency or elementary or secondary school from filtering  
4 or blocking materials other than those referred to in para-  
5 graph (1), (2), or (3) of subsection (a).

6           (d) DEFINITIONS.—

7               (1) MATERIAL HARMFUL TO MINORS.—The  
8 term “material harmful to minors” has the meaning  
9 given such term in section 231(e)(6) of the Commu-  
10 nications Act of 1934.

11              (2) CHILD PORNOGRAPHY.—The term “child  
12 pornography” has the meaning given such term in  
13 section 2256(8) of title 18, United States Code.

14              (3) MINOR.—The term “minor” has the mean-  
15 ing given such term in section 2256(1) of title 18,  
16 United States Code.

17           (e) SEVERABILITY.—If any provision of this section  
18 is held invalid, the remainder of such section and this Act  
19 shall not be affected thereby.

20           SEC. 305. None of the funds made available in this  
21 Act may be used to carry out any activities related to any  
22 federally sponsored national test in reading, mathematics,  
23 or any other subject that is not specifically and explicitly  
24 provided for in authorizing legislation enacted into law,  
25 except that such limitation shall not apply to the Third

1 International Mathematics and Science Study or other  
2 international comparative assessments developed under  
3 the authority of section 404(a)(6) of the National Edu-  
4 cation Statistics Act of 1994 (20 U.S.C. 9003(a)(6) et  
5 seq.) and administered to only a representative sample of  
6 pupils in the United States and in foreign nations.

7 This title may be cited as the “Department of Edu-  
8 cation Appropriations Act, 2001”.

#### 9 TITLE IV—RELATED AGENCIES

##### 10 ARMED FORCES RETIREMENT HOME

11 For expenses necessary for the Armed Forces Retire-  
12 ment Home to operate and maintain the United States  
13 Soldiers’ and Airmen’s Home and the United States Naval  
14 Home, to be paid from funds available in the Armed  
15 Forces Retirement Home Trust Fund, \$69,832,000, of  
16 which \$9,832,000 shall remain available until expended  
17 for construction and renovation of the physical plants at  
18 the United States Soldiers’ and Airmen’s Home and the  
19 United States Naval Home: *Provided*, That, notwith-  
20 standing any other provision of law, a single contract or  
21 related contracts for development and construction, to in-  
22 clude construction of a long-term care facility at the  
23 United States Naval Home, may be employed which collec-  
24 tively include the full scope of the project: *Provided fur-*  
25 *ther*, That the solicitation and contract shall contain the



1 clause “availability of funds” found at 48 CFR 52.232–  
2 18 and 252.232–7007, Limitation of Government Obliga-  
3 tions.

4 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE  
5 DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING  
6 EXPENSES

7 For expenses necessary for the Corporation for Na-  
8 tional and Community Service to carry out the provisions  
9 of the Domestic Volunteer Service Act of 1973, as amend-  
10 ed, \$294,527,000: *Provided*, That none of the funds made  
11 available to the Corporation for National and Community  
12 Service in this Act for activities authorized by part E of  
13 title II of the Domestic Volunteer Service Act of 1973  
14 shall be used to provide stipends or other monetary incen-  
15 tives to volunteers or volunteer leaders whose incomes ex-  
16 ceed 125 percent of the national poverty level.

17 CORPORATION FOR PUBLIC BROADCASTING

18 For payment to the Corporation for Public Broad-  
19 casting, as authorized by the Communications Act of  
20 1934, an amount which shall be available within limita-  
21 tions specified by that Act, for the fiscal year 2003,  
22 \$365,000,000: *Provided*, That no funds made available to  
23 the Corporation for Public Broadcasting by this Act shall  
24 be used to pay for receptions, parties, or similar forms  
25 of entertainment for Government officials or employees:

1 *Provided further*, That none of the funds contained in this  
2 paragraph shall be available or used to aid or support any  
3 program or activity from which any person is excluded,  
4 or is denied benefits, or is discriminated against, on the  
5 basis of race, color, national origin, religion, or sex.

6 FEDERAL MEDIATION AND CONCILIATION SERVICE

7 SALARIES AND EXPENSES

8 For expenses necessary for the Federal Mediation  
9 and Conciliation Service to carry out the functions vested  
10 in it by the Labor Management Relations Act, 1947 (29  
11 U.S.C. 171–180, 182–183), including hire of passenger  
12 motor vehicles; for expenses necessary for the Labor-Man-  
13 agement Cooperation Act of 1978 (29 U.S.C. 175a); and  
14 for expenses necessary for the Service to carry out the  
15 functions vested in it by the Civil Service Reform Act,  
16 Public Law 95–454 (5 U.S.C. ch. 71), \$37,500,000, in-  
17 cluding \$1,500,000, to remain available through Sep-  
18 tember 30, 2002, for activities authorized by the Labor-  
19 Management Cooperation Act of 1978 (29 U.S.C. 175a):  
20 *Provided*, That notwithstanding 31 U.S.C. 3302, fees  
21 charged, up to full-cost recovery, for special training ac-  
22 tivities and other conflict resolution services and technical  
23 assistance, including those provided to foreign govern-  
24 ments and international organizations, and for arbitration  
25 services shall be credited to and merged with this account,

1 and shall remain available until expended: *Provided fur-*  
2 *ther*, That fees for arbitration services shall be available  
3 only for education, training, and professional development  
4 of the agency workforce: *Provided further*, That the Direc-  
5 tor of the Service is authorized to accept and use on behalf  
6 of the United States gifts of services and real, personal,  
7 or other property in the aid of any projects or functions  
8 within the Director's jurisdiction.

9 FEDERAL MINE SAFETY AND HEALTH REVIEW

10 COMMISSION

11 SALARIES AND EXPENSES

12 For expenses necessary for the Federal Mine Safety  
13 and Health Review Commission (30 U.S.C. 801 et seq.),  
14 \$6,200,000.

15 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

16 OFFICE OF LIBRARY SERVICES: GRANTS AND

17 ADMINISTRATION

18 For carrying out subtitle B of the Museum and  
19 Library Services Act, \$170,000,000.

20 MEDICARE PAYMENT ADVISORY COMMISSION

21 SALARIES AND EXPENSES

22 For expenses necessary to carry out section 1805 of  
23 the Social Security Act, \$8,000,000, to be transferred to  
24 this appropriation from the Federal Hospital Insurance

1 and the Federal Supplementary Medical Insurance Trust  
2 Funds.

3 NATIONAL COMMISSION ON LIBRARIES AND  
4 INFORMATION SCIENCE  
5 SALARIES AND EXPENSES

6 For necessary expenses for the National Commission  
7 on Libraries and Information Science, established by the  
8 Act of July 20, 1970 (Public Law 91–345, as amended),  
9 \$1,400,000.

10 NATIONAL COUNCIL ON DISABILITY  
11 SALARIES AND EXPENSES

12 For expenses necessary for the National Council on  
13 Disability as authorized by title IV of the Rehabilitation  
14 Act of 1973, as amended, \$2,450,000.

15 NATIONAL LABOR RELATIONS BOARD  
16 SALARIES AND EXPENSES

17 For expenses necessary for the National Labor Rela-  
18 tions Board to carry out the functions vested in it by the  
19 Labor-Management Relations Act, 1947, as amended (29  
20 U.S.C. 141–167), and other laws, \$205,717,000: *Pro-*  
21 *vided*, That no part of this appropriation shall be available  
22 to organize or assist in organizing agricultural laborers or  
23 used in connection with investigations, hearings, direc-  
24 tives, or orders concerning bargaining units composed of  
25 agricultural laborers as referred to in section 2(3) of the

1 Act of July 5, 1935 (29 U.S.C. 152), and as amended  
2 by the Labor-Management Relations Act, 1947, as amend-  
3 ed, and as defined in section 3(f) of the Act of June 25,  
4 1938 (29 U.S.C. 203), and including in said definition em-  
5 ployees engaged in the maintenance and operation of  
6 ditches, canals, reservoirs, and waterways when main-  
7 tained or operated on a mutual, nonprofit basis and at  
8 least 95 percent of the water stored or supplied thereby  
9 is used for farming purposes.

10 NATIONAL MEDIATION BOARD

11 SALARIES AND EXPENSES

12 For expenses necessary to carry out the provisions  
13 of the Railway Labor Act, as amended (45 U.S.C. 151-  
14 188), including emergency boards appointed by the Presi-  
15 dent, \$9,800,000.

16 OCCUPATIONAL SAFETY AND HEALTH REVIEW

17 COMMISSION

18 SALARIES AND EXPENSES

19 For expenses necessary for the Occupational Safety  
20 and Health Review Commission (29 U.S.C. 661),  
21 \$8,600,000.

22 RAILROAD RETIREMENT BOARD

23 DUAL BENEFITS PAYMENTS ACCOUNT

24 For payment to the Dual Benefits Payments Ac-  
25 count, authorized under section 15(d) of the Railroad Re-

1 tirement Act of 1974, \$160,000,000, which shall include  
2 amounts becoming available in fiscal year 2001 pursuant  
3 to section 224(c)(1)(B) of Public Law 98–76; and in addi-  
4 tion, an amount, not to exceed 2 percent of the amount  
5 provided herein, shall be available proportional to the  
6 amount by which the product of recipients and the average  
7 benefit received exceeds \$160,000,000: *Provided*, That the  
8 total amount provided herein shall be credited in 12 ap-  
9 proximately equal amounts on the first day of each month  
10 in the fiscal year.

11 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

12 ACCOUNTS

13 For payment to the accounts established in the  
14 Treasury for the payment of benefits under the Railroad  
15 Retirement Act for interest earned on unnegotiated  
16 checks, \$150,000, to remain available through September  
17 30, 2002, which shall be the maximum amount available  
18 for payment pursuant to section 417 of Public Law 98–  
19 76.

20 LIMITATION ON ADMINISTRATION

21 For necessary expenses for the Railroad Retirement  
22 Board for administration of the Railroad Retirement Act  
23 and the Railroad Unemployment Insurance Act,  
24 \$95,000,000, to be derived in such amounts as determined  
25 by the Board from the railroad retirement accounts and

1 from moneys credited to the railroad unemployment insur-  
2 ance administration fund.

3       LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

4       For expenses necessary for the Office of Inspector  
5 General for audit, investigatory and review activities, as  
6 authorized by the Inspector General Act of 1978, as  
7 amended, not more than \$5,380,000, to be derived from  
8 the railroad retirement accounts and railroad unemploy-  
9 ment insurance account: *Provided*, That none of the funds  
10 made available in any other paragraph of this Act may  
11 be transferred to the Office; used to carry out any such  
12 transfer; used to provide any office space, equipment, of-  
13 fice supplies, communications facilities or services, mainte-  
14 nance services, or administrative services for the Office;  
15 used to pay any salary, benefit, or award for any personnel  
16 of the Office; used to pay any other operating expense of  
17 the Office; or used to reimburse the Office for any service  
18 provided, or expense incurred, by the Office.

19                   SOCIAL SECURITY ADMINISTRATION

20           PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

21       For payment to the Federal Old-Age and Survivors  
22 Insurance and the Federal Disability Insurance trust  
23 funds, as provided under sections 201(m), 228(g), and  
24 1131(b)(2) of the Social Security Act, \$20,400,000.

## 1 SPECIAL BENEFITS FOR DISABLED COAL MINERS

2 For carrying out title IV of the Federal Mine Safety  
3 and Health Act of 1977, \$365,748,000, to remain avail-  
4 able until expended.

5 For making, after July 31 of the current fiscal year,  
6 benefit payments to individuals under title IV of the Fed-  
7 eral Mine Safety and Health Act of 1977, for costs in-  
8 curred in the current fiscal year, such amounts as may  
9 be necessary.

10 For making benefit payments under title IV of the  
11 Federal Mine Safety and Health Act of 1977 for the first  
12 quarter of fiscal year 2002, \$114,000,000, to remain  
13 available until expended.

## 14 SUPPLEMENTAL SECURITY INCOME PROGRAM

15 For carrying out titles XI and XVI of the Social Se-  
16 curity Act, section 401 of Public Law 92–603, section 212  
17 of Public Law 93–66, as amended, and section 405 of  
18 Public Law 95–216, including payment to the Social Secu-  
19 rity trust funds for administrative expenses incurred pur-  
20 suant to section 201(g)(1) of the Social Security Act,  
21 \$22,791,000,000, to remain available until expended: *Pro-*  
22 *vided*, That any portion of the funds provided to a State  
23 in the current fiscal year and not obligated by the State  
24 during that year shall be returned to the Treasury.

25 In addition, \$245,000,000, to remain available until  
26 September 30, 2002, for payment to the Social Security



1 trust funds for administrative expenses for continuing dis-  
2 ability reviews as authorized by section 103 of Public Law  
3 104–121 and section 10203 of Public Law 105–33. The  
4 term “continuing disability reviews” means reviews and  
5 redeterminations as defined under section 201(g)(1)(A) of  
6 the Social Security Act, as amended.

7 For making, after June 15 of the current fiscal year,  
8 benefit payments to individuals under title XVI of the So-  
9 cial Security Act, for unanticipated costs incurred for the  
10 current fiscal year, such sums as may be necessary.

11 For making benefit payments under title XVI of the  
12 Social Security Act for the first quarter of fiscal year  
13 2002, \$10,470,000,000, to remain available until ex-  
14 pended.

15 LIMITATION ON ADMINISTRATIVE EXPENSES

16 For necessary expenses, including the hire of two pas-  
17 senger motor vehicles, and not to exceed \$10,000 for offi-  
18 cial reception and representation expenses, not more than  
19 \$6,367,036,000 may be expended, as authorized by sec-  
20 tion 201(g)(1) of the Soc ial Security Act, from any one  
21 or all of the trust funds referred to therein: *Provided*, That  
22 not less than \$1,800,000 shall be for the Social Security  
23 Advisory Board: *Provided further*, That unobligated bal-  
24 ances at the end of fiscal year 2001 not needed for fiscal  
25 year 2001 shall remain available until expended to invest  
26 in the Social Security Administration information tech-

1 nology and telecommunications hardware and software in-  
2 frastructure, including related equipment and non-payroll  
3 administrative expenses associated solely with this infor-  
4 mation technology and telecommunications infrastructure:  
5 *Provided further*, That reimbursement to the trust funds  
6 under this heading for expenditures for official time for  
7 employees of the Social Security Administration pursuant  
8 to section 7131 of title 5, United States Code, and for  
9 facilities or support services for labor organizations pursu-  
10 ant to policies, regulations, or procedures referred to in  
11 section 7135(b) of such title shall be made by the Sec-  
12 retary of the Treasury, with interest, from amounts in the  
13 general fund not otherwise appropriated, as soon as pos-  
14 sible after such expenditures are made.

15 From funds provided under the first paragraph, not  
16 less than \$130,000,000 shall be available for conducting  
17 continuing disability reviews.

18 In addition to funding already available under this  
19 heading, and subject to the same terms and conditions,  
20 \$520,000,000, to remain available until September 30,  
21 2002, for continuing disability reviews as authorized by  
22 section 103 of Public Law 104–121 and section 10203 of  
23 Public Law 105–33. Subclauses (II) and (III) of section  
24 251(b)(2)(C)(ii) of the Balanced Budget and Emergency  
25 Deficit Control Act of 1985 are amended by striking

1 “\$200,000,000” each place it appears and inserting  
2 “\$130,000,000”. The term “continuing disability reviews”  
3 means reviews and redeterminations as defined under sec-  
4 tion 201(g)(1)(A) of the Social Security Act, as amended.

5       In addition, \$91,000,000 to be derived from adminis-  
6 tration fees in excess of \$5.00 per supplementary payment  
7 collected pursuant to section 1616(d) of the Social Secu-  
8 rity Act or section 212(b)(3) of Public Law 93–66, which  
9 shall remain available until expended. To the extent that  
10 the amounts collected pursuant to such section 1616(d)  
11 or 212(b)(3) in fiscal year 2001 exceed \$91,000,000, the  
12 amounts shall be available in fiscal year 2002 only to the  
13 extent provided in advance in appropriations Acts.

14       From funds previously appropriated for this purpose,  
15 any unobligated balances at the end of fiscal year 2000  
16 shall be available to continue Federal-State partnerships  
17 which will evaluate means to promote Medicare buy-in pro-  
18 grams targeted to elderly and disabled individuals under  
19 titles XVIII and XIX of the Social Security Act.

20                           OFFICE OF INSPECTOR GENERAL  
21                           (INCLUDING TRANSFER OF FUNDS)

22       For expenses necessary for the Office of Inspector  
23 General in carrying out the provisions of the Inspector  
24 General Act of 1978, as amended, \$14,944,000, together  
25 with not to exceed \$50,808,000, to be transferred and ex-  
26 pended as authorized by section 201(g)(1) of the Social

1 Security Act from the Federal Old-Age and Survivors In-  
2 surance Trust Fund and the Federal Disability Insurance  
3 Trust Fund.

4 In addition, an amount not to exceed 3 percent of  
5 the total provided in this appropriation may be transferred  
6 from the “Limitation on Administrative Expenses”, Social  
7 Security Administration, to be merged with this account,  
8 to be available for the time and purposes for which this  
9 account is available: *Provided*, That notice of such trans-  
10 fers shall be transmitted promptly to the Committees on  
11 Appropriations of the House and Senate.

12 UNITED STATES INSTITUTE OF PEACE

13 OPERATING EXPENSES

14 For necessary expenses of the United States Institute  
15 of Peace as authorized in the United States Institute of  
16 Peace Act, \$15,000,000.

17 TITLE V—GENERAL PROVISIONS

18 SEC. 501. The Secretaries of Labor, Health and  
19 Human Services, and Education are authorized to transfer  
20 unexpended balances of prior appropriations to accounts  
21 corresponding to current appropriations provided in this  
22 Act: *Provided*, That such transferred balances are used for  
23 the same purpose, and for the same periods of time, for  
24 which they were originally appropriated.

1       SEC. 502. 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. 503. (a) No part of any appropriation contained  
5 in this Act shall be used, other than for normal and recog-  
6 nized executive-legislative relationships, for publicity or  
7 propaganda purposes, for the preparation, distribution, or  
8 use of any kit, pamphlet, booklet, publication, radio, tele-  
9 vision, or video presentation designed to support or defeat  
10 legislation pending before the Congress or any State legis-  
11 lature, except in presentation to the Congress or any State  
12 legislature itself.

13       (b) No part of any appropriation contained in this  
14 Act shall be used to pay the salary or expenses of any  
15 grant or contract recipient, or agent acting for such recipi-  
16 ent, related to any activity designed to influence legislation  
17 or appropriations pending before the Congress or any  
18 State legislature.

19       SEC. 504. The Secretaries of Labor and Education  
20 are authorized to make available not to exceed \$20,000  
21 and \$15,000, respectively, from funds available for sala-  
22 ries and expenses under titles I and III, respectively, for  
23 official reception and representation expenses; the Direc-  
24 tor of the Federal Mediation and Conciliation Service is  
25 authorized to make available for official reception and rep-

1 representation expenses not to exceed \$2,500 from the funds  
2 available for “Salaries and expenses, Federal Mediation  
3 and Conciliation Service”; and the Chairman of the Na-  
4 tional Mediation Board is authorized to make available for  
5 official reception and representation expenses not to ex-  
6 ceed \$2,500 from funds available for “Salaries and ex-  
7 penses, National Mediation Board”.

8       SEC. 505. Notwithstanding any other provision of  
9 this Act, no funds appropriated under this Act shall be  
10 used to carry out any program of distributing sterile nee-  
11 dles or syringes for the hypodermic injection of any illegal  
12 drug.

13       SEC. 506. (a) Purchase of American-Made Equip-  
14 ment and Products.—It is the sense of the Congress that,  
15 to the greatest extent practicable, all equipment and prod-  
16 ucts purchased with funds made available in this Act  
17 should be American-made.

18       (b) NOTICE REQUIREMENT.—In providing financial  
19 assistance to, or entering into any contract with, any enti-  
20 ty using funds made available in this Act, the head of each  
21 Federal agency, to the greatest extent practicable, shall  
22 provide to such entity a notice describing the statement  
23 made in subsection (a) by the Congress.

24       (c) PROHIBITION OF CONTRACTS WITH PERSONS  
25 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—

1 If it has been finally determined by a court or Federal  
2 agency that any person intentionally affixed a label bear-  
3 ing a “Made in America” inscription, or any inscription  
4 with the same meaning, to any product sold in or shipped  
5 to the United States that is not made in the United  
6 States, the person shall be ineligible to receive any con-  
7 tract or subcontract made with funds made available in  
8 this Act, pursuant to the debarment, suspension, and ineli-  
9 gibility procedures described in sections 9.400 through  
10 9.409 of title 48, Code of Federal Regulations.

11       SEC. 507. When issuing statements, press releases,  
12 requests for proposals, bid solicitations and other docu-  
13 ments describing projects or programs funded in whole or  
14 in part with Federal money, all grantees receiving Federal  
15 funds included in this Act, including but not limited to  
16 State and local governments and recipients of Federal re-  
17 search grants, shall clearly state: (1) the percentage of the  
18 total costs of the program or project which will be financed  
19 with Federal money; (2) the dollar amount of Federal  
20 funds for the project or program; and (3) percentage and  
21 dollar amount of the total costs of the project or program  
22 that will be financed by non-governmental sources.

23       SEC. 508. (a) None of the funds appropriated under  
24 this Act, and none of the funds in any trust fund to which

1 funds are appropriated under this Act, shall be expended  
2 for any abortion.

3 (b) None of the funds appropriated under this Act,  
4 and none of the funds in any trust fund to which funds  
5 are appropriated under this Act, shall be expended for  
6 health benefits coverage that includes coverage of abor-  
7 tion.

8 (c) The term “health benefits coverage” means the  
9 package of services covered by a managed care provider  
10 or organization pursuant to a contract or other arrange-  
11 ment.

12 SEC. 509. (a) The limitations established in the pre-  
13 ceding section shall not apply to an abortion—

14 (1) if the pregnancy is the result of an act of  
15 rape or incest; or

16 (2) in the case where a woman suffers from a  
17 physical disorder, physical injury, or physical illness,  
18 including a life-endangering physical condition  
19 caused by or arising from the pregnancy itself, that  
20 would, as certified by a physician, place the woman  
21 in danger of death unless an abortion is performed.

22 (b) Nothing in the preceding section shall be con-  
23 strued as prohibiting the expenditure by a State, locality,  
24 entity, or private person of State, local, or private funds



1 (other than a State’s or locality’s contribution of Medicaid  
2 matching funds).

3 (c) Nothing in the preceding section shall be con-  
4 strued as restricting the ability of any managed care pro-  
5 vider from offering abortion coverage or the ability of a  
6 State or locality to contract separately with such a pro-  
7 vider for such coverage with State funds (other than a  
8 State’s or locality’s contribution of Medicaid matching  
9 funds).

10 SEC. 510. (a) None of the funds made available in  
11 this Act may be used for—

12 (1) the creation of a human embryo or embryos  
13 for research purposes; or

14 (2) research in which a human embryo or em-  
15 bryos are destroyed, discarded, or knowingly sub-  
16 jected to risk of injury or death greater than that  
17 allowed for research on fetuses in utero under 45  
18 CFR 46.208(a)(2) and section 498(b) of the Public  
19 Health Service Act (42 U.S.C. 289g(b)).

20 (b) For purposes of this section, the term “human  
21 embryo or embryos” includes any organism, not protected  
22 as a human subject under 45 CFR 46 as of the date of  
23 the enactment of this Act, that is derived by fertilization,  
24 parthenogenesis, cloning, or any other means from one or  
25 more human gametes or human diploid cells.

1       SEC. 511. (a) LIMITATION ON USE OF FUNDS FOR  
2 PROMOTION OF LEGALIZATION OF CONTROLLED SUB-  
3 STANCES.—None of the funds made available in this Act  
4 may be used for any activity that promotes the legalization  
5 of any drug or other substance included in schedule I of  
6 the schedules of controlled substances established by sec-  
7 tion 202 of the Controlled Substances Act (21 U.S.C.  
8 812).

9       (b) EXCEPTIONS.—The limitation in subsection (a)  
10 shall not apply when there is significant medical evidence  
11 of a therapeutic advantage to the use of such drug or other  
12 substance or that federally sponsored clinical trials are  
13 being conducted to determine therapeutic advantage.

14       SEC. 512. None of the funds made available in this  
15 Act may be obligated or expended to enter into or renew  
16 a contract with an entity if—

17           (1) such entity is otherwise a contractor with  
18 the United States and is subject to the requirement  
19 in section 4212(d) of title 38, United States Code,  
20 regarding submission of an annual report to the Sec-  
21 retary of Labor concerning employment of certain  
22 veterans; and

23           (2) such entity has not submitted a report as  
24 required by that section for the most recent year for

1       which such requirement was applicable to such enti-  
2       ty.

3       SEC. 513. Except as otherwise specifically provided  
4 by law, unobligated balances remaining available at the  
5 end of fiscal year 2000 from appropriations made avail-  
6 able for salaries and expenses for fiscal year 2000 in this  
7 Act, shall remain available through December 31, 2000,  
8 for each such account for the purposes authorized: *Pro-*  
9 *vided*, That the House and Senate Committees on Appro-  
10 priations shall be notified at least 15 days prior to the  
11 obligation of such funds: *Provided further*, That the provi-  
12 sions of this section shall not apply to any funds appro-  
13 priated to the Centers for Disease Control and Prevention  
14 or to the Department of Education.

15       SEC. 514. Section 5527 of Public Law 105–33, The  
16 Balanced Budget Act of 1997, is repealed.

17       SEC. 515. (a) DATES FOR EVALUATION.—Section  
18 403(a)(5)(H)(iii) of the Social Security Act (42 U.S.C.  
19 603(a)(5)(H)(iii)) is amended by striking “2001” and in-  
20 serting “2005”.

21       (b) INTERIM REPORT REQUIRED.—Section  
22 403(a)(5)(H) of such Act (42 U.S.C. 603(a)(5)(G)) is  
23 amended by adding at the end the following:

24                               “(iv) INTERIM REPORT.—Not later  
25                               than January 1, 2002, the Secretary shall

1 submit to the Congress an interim report  
2 on the evaluations referred to in clause  
3 (i).”.

4 SEC. 516. Section 403(a)(3)(A) (42 U.S.C.  
5 603(a)(3)(A)) is amended—

6 (1) in clause (i), by striking “and” at the end;

7 (2) in clause (ii)—

8 (A) by striking “1999, 2000, and 2001”  
9 and inserting “1999 and 2000”; and

10 (B) by striking the period at the end and  
11 inserting “; and”; and

12 (3) by adding at the end the following new  
13 clause:

14 “(iii) for fiscal year 2001, a grant in  
15 an amount equal to the amount of the  
16 grant to the State under clause (i) for fis-  
17 cal year 1998.”.

18 SEC. 517. Section 410(b) of The Ticket to Work and  
19 Work Incentives Improvement Act of 1999 (Public Law  
20 106–170) is amended by striking “2009” each place it ap-  
21 pears and inserting “2001”.

22 This Act may be cited as the “Departments of Labor,  
23 Health and Human Services, and Education, and Related  
24 Agencies Appropriations Act, 2001”.



**Union Calendar No. 355**

106TH CONGRESS  
2D SESSION

**H. R. 4577**

**[Report No. 106-645]**

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**A BILL**

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

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JUNE 1, 2000

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