

103RD CONGRESS
2^D SESSION

H. R. 4606

AMENDMENTS

1 (7)Page 3, line 8, strike out **[\$63,666,000]** and insert:

2 *\$64,218,000*

3 (8)Page 3, line 9, strike out **[\$84,841,000]** and insert:

4 *\$86,000,000*

5 (9)Page 3, line 11, strike out **[\$1,500,000]** and insert:

6 *\$2,223,000*

7 (10)Page 3, line 13, strike out **[\$5,579,000]** and insert:

8 *\$6,000,000*

9 (11)Page 3, line 18, strike out **[\$1,044,813,000]** and

10 insert: *\$1,064,813,000*

11 (12)Page 3, line 23, after “centers” insert: *: Provided*

12 *further, That funds used from this Act to carry out title*

13 *III of the Job Training Partnership Act shall not be subject*

14 *to the limitation contained in subsection (b) of section 315*

15 *of such Act; that the waiver allowing a reduction in the*

16 *cost limitation relating to retraining services described in*

17 *subsection (a)(2) of such section 315 may be granted with*

18 *respect to funds used from this Act if a substate grantee*

19 *demonstrates to the Governor that such waiver is appro-*

20 *priate due to the availability of low-cost retraining services,*

21 *is necessary to facilitate the provision of needs-related pay-*

22 *ments to accompany long-term training, or is necessary to*

23 *facilitate the provision of appropriate basic readjustment*

1 *services; and that funds used from this Act to carry out*
2 *the Secretary's discretionary grants under part B of such*
3 *title III may be used to provide needs-related payments to*
4 *participants who, in lieu of meeting the requirements relat-*
5 *ing to enrollment in training under section 314(e) of such*
6 *Act, are enrolled in training by the end of the sixth week*
7 *after grant funds have been awarded*

8 **(13)**Page 3, after line 23, insert:

9 *Of the amounts made available in fiscal year 1994*
10 *under the Job Training partnership Act, title II-C,*
11 *\$50,000,000 are hereby rescinded.*

12 **(14)**Page 5, line 14, strike out **[\$146,697,000]** and in-
13 sert: *\$147,351,000*

14 **(15)**Page 5, line 15, strike out **[\$3,269,013,000]** and
15 insert: *\$3,280,357,000*

16 **(16)**Page 6, line 8, strike out **[\$144,763,000]** and in-
17 sert: *\$145,417,000*

18 **(17)**Page 6, line 9, strike out **[\$817,224,000]** and in-
19 sert: *\$821,803,000*

20 **(18)**Page 6, line 15, strike out **[\$232,437,000]** and in-
21 sert: *\$226,000,000*

1 **(19)**Page 6, line 23, strike out **【\$27,800,000】** and in-
2 sert: *\$30,000,000*

3 **(20)**Page 7, line 6, after “entities” insert: *: Provided*
4 *further, That funds appropriated under this Act for activi-*
5 *ties authorized under the Wagner-Peyser Act, as amended,*
6 *and title III of the Social Security Act, may be used by*
7 *the States to fund integrated Employment Service and Un-*
8 *employment Insurance automation efforts, notwithstanding*
9 *cost allocation principles prescribed under Office of Man-*
10 *agement and Budget Circular A-87*

11 **(21)**Page 8, line 4, strike out **【\$30,411,000】** and insert:
12 *\$32,225,000*

13 **(22)**Page 8, line 8, strike out **【\$66,388,000】** and insert:
14 *\$69,454,000*

15 **(23)**Page 9, line 9, strike out **【\$242,860,000】** and in-
16 sert: *\$248,667,000*

17 **(24)**Page 15, line 19, strike out **【\$197,519,000】** and
18 insert: *\$201,238,000*

19 **(25)**Page 16, line 23, strike out **【\$296,761,000】** and
20 insert: *\$298,761,000*

21 **(26)**Page 17, line 9, after “Disabilities,” insert: *and in-*
22 *cluding \$2,500,000 for the International Program on the*

1 *Elimination of Child Labor notwithstanding any other pro-*
 2 *vision of law,*

3 **(27)**Page 17, line 9, strike out all after “Disabilities,”
 4 down to and including “programs;” in line 14 and insert:
 5 *\$152,818,000*

6 **(28)**Page 17, line 19, strike out **[\$185,281,000]** and
 7 insert: *\$187,964,000*

8 **(29)**Page 18, line 1, strike out **[\$47,676,000]** and in-
 9 sert: *\$48,535,000*

10 **(30)**Page 18, line 2, strike out **[\$3,860,000]** and insert:
 11 *\$3,966,000*

12 **(31)**Page 18, strike out lines 6 to 12

13 **(32)**Page 18, after line 12, insert:

14 ***SEC. 101. DETERRENCE OF FRAUD AND ABUSE IN THE FED-***
 15 ***ERAL EMPLOYEE’S WORKER COMPENSATION***
 16 ***PROGRAM.***

17 *(a) IN GENERAL.—(1) Chapter 81 of title 5, United*
 18 *States Code, is amended by inserting after section 8147 the*
 19 *following new section:*

20 ***“§ 8148. Forfeiture of benefits by convicted felons***

21 *“(a) Any individual convicted of a violation of section*
 22 *1920 of title 18, or any other Federal or State criminal*
 23 *statute relating to fraud in the application for a receipt*

1 of any benefit under this subchapter or subchapter III of
2 this chapter, shall forfeit (as of the date of such conviction)
3 any entitlement to any benefit such individual would other-
4 wise be entitled to under this subchapter or subchapter III
5 for any injury occurring on or before the date of such con-
6 viction. Such forfeiture shall be in addition to any action
7 the Secretary may take under section 8106 or 8129.

8 “(b)(1) Notwithstanding any other provision of this
9 chapter (except as provided under paragraph (3)), no bene-
10 fits under this subchapter or subchapter III of this chapter
11 shall be paid or provided to any individual during any
12 period during which such individual is confined in a jail,
13 prison, or other penal institution or correctional facility,
14 pursuant to that individual’s conviction of an offense that
15 constituted a felony under applicable law.

16 “(2) Such individual shall not be entitled to receive
17 the benefits forfeited during the period of incarceration
18 under paragraph (1), after such period of incarceration
19 ends.

20 “(3) If an individual has one or more dependents as
21 defined under section 8110(a), the Secretary of Labor may,
22 during the period of incarceration, pay to such dependents
23 a percentage of the benefits that would have been payable
24 to such individual computed according to the percentages
25 set forth in section 8133(a) (1) through (5).

1 *tion or other benefit or payment under subchapter I or III*
2 *of chapter 81 of title 5, shall be guilty of perjury, and on*
3 *conviction thereof shall be punished by a fine of not more*
4 *than \$250,000, or by imprisonment for not more than 5*
5 *years, or both; but if the amount of the benefits falsely ob-*
6 *tained does not exceed \$1,000, such person shall be punished*
7 *by a fine of not more than \$100,000, or by imprisonment*
8 *for not more than 1 year, or both.”*

9 *(2) The table of sections for chapter 93 of title 18,*
10 *United States Code, is amended by amending the item re-*
11 *lating to section 1920 to read as follows:*

“1920. False statement or fraud to obtain Federal employee’s compensation.”

12 *(c) EFFECTIVE DATE.—The amendments made by this*
13 *section shall take effect on the date of the enactment of this*
14 *Act. The amendments made by subsection (a) shall apply*
15 *to claims filed before, on, or after the date of enactment*
16 *of this Act, and shall apply only to individuals convicted*
17 *after such date of enactment.*

18 **(33)**Page 20, after line 4, insert:

19 *SEC. 105. The Secretary of Labor may, in his discre-*
20 *tion, utilize funds appropriated in this and subsequent Acts*
21 *to engage in joint projects, or perform services, on matters*
22 *of mutual interest, with nonprofit organizations, research*
23 *organizations, or public organizations or agencies, the cost*
24 *of which shall be apportioned equitably, as determined by*

1 *the Secretary: Provided, That such funds shall not be treat-*
 2 *ed as a reprogramming and shall not be available for obli-*
 3 *gation or expenditure except in compliance with the com-*
 4 *mittee reprogramming procedures.*

5 *SEC. 106. The Secretary of Labor is authorized to ac-*
 6 *cept, in the name of the Department of Labor, and employ*
 7 *or dispose of in furtherance of authorized activities of the*
 8 *Department of Labor, during the fiscal year ending Sep-*
 9 *tember 30, 1995, and each fiscal year thereafter, any money*
 10 *or property, real, personal, or mixed, tangible or intangible,*
 11 *received by gift, devise, bequest, or otherwise.*

12 *SEC. 107. Section 5315 of title 5, United States Code,*
 13 *is amended by inserting at the end thereof: "The Commis-*
 14 *sioner of Labor Statistics, Department of Labor."*

15 *Section 5316 of title 5, United States Code, is amended*
 16 *by striking: "Commissioner of Labor Statistics, Department*
 17 *of Labor."*

18 *SEC. 108. None of the funds appropriated in this title*
 19 *for the Job Corps shall be used to pay the compensation*
 20 *of an individual, either as direct costs or any proration*
 21 *as an indirect cost, at a rate in excess of \$125,000.*

22 **(34)**Page 20, line 17, strike out **[\$3,008,225,000]** and
 23 insert: *\$3,066,254,000*

24 **(35)**Page 21, line 10, after "Act" insert: *: Provided fur-*
 25 *ther, That of the amounts available for Area Health Edu-*

1 *cation Centers, \$25,000,000 shall be for section 746(i)(1)(A)*
2 *of the Health Professions Education Extension Amendments*
3 *of 1992, notwithstanding section 746(i)(1)(C)*

4 **(36)**Page 21, line 10, after “Act” insert: *: Provided fur-*
5 *ther, That of the funds made available under this heading*
6 *for program administration, \$3,000,000 shall be made*
7 *available for grants to cities under title XXVI, sections*
8 *2601–2608 of the Public Health Service Act*

9 **(37)**Page 21, line 10, after “Act” insert: *: Provided fur-*
10 *ther, That no more than \$5,000,000 is available for carry-*
11 *ing out the provisions of Public Law 102–501*

12 **(38)**Page 23, line 5, strike out **【\$2,086,850,000】** and
13 insert: *\$2,050,931,000*

14 **(39)**Page 24, line 7, strike out **【\$27,862,000】** and in-
15 sert: *\$28,873,000*

16 **(40)**Page 25, line 5, strike out **【\$726,784,000】** and in-
17 sert: *\$728,784,000*

18 **(41)**Page 25, line 10, strike out **【\$626,801,000】** and
19 insert: *\$628,801,000*

20 **(42)**Page 26, line 4, strike out **【\$290,335,000】** and in-
21 sert: *\$292,022,000*

1 (43)Page 26, line 9, strike out **【\$266,400,000】** and in-
2 sert: *\$267,955,000*

3 (44)Page 26, line 13, strike out **【\$431,198,000】** and
4 insert: *\$433,198,000*

5 (45)Page 26, line 18, strike out **【\$227,021,000】** and
6 insert: *\$229,021,000*

7 (46)Page 26, line 23, strike out **【\$166,155,000】** and
8 insert: *\$167,129,000*

9 (47)Page 27, line 4, strike out **【\$47,971,000】** and in-
10 sert: *\$48,326,000*

11 (48)Page 27, line 17, strike out **【\$542,050,000】** and
12 insert: *\$544,050,000*

13 (49)Page 28, line 7, strike out **【\$15,193,000】** and in-
14 sert: *\$13,209,000*

15 (50)Page 28, line 11, strike out **【\$123,274,000】** and
16 insert: *\$127,274,000*

17 (51)Page 28, line 15, strike out **【\$219,474,000】** and
18 insert: *\$215,045,000*

19 (52)Page 29, line 12, strike out **【\$114,370,000】** and
20 insert: *\$113,370,000*

1 (53)Page 29, line 20, strike out **【\$2,166,148,000】** and
2 insert: *\$2,164,179,000*

3 (54)Page 30, line 7, strike out **【\$70,261,000】** and in-
4 sert: *\$63,004,000, of which \$2,048,000 and 30 full-time*
5 *equivalent positions will be transferred from the National*
6 *Vaccine Program Office to the Centers for Disease Control*
7 *and Prevention for the expanded immunization program*

8 (55)Page 30, line 10, strike out all after “expended”
9 down to and including “account” in line 13

10 (56)Page 31, line 5, strike out **【\$134,624,000】** and in-
11 sert: *\$128,914,000*

12 (57)Page 31, line 6, strike out **【\$5,806,000】** and insert:
13 *\$5,786,000*

14 (58)Page 31, line 15, strike out **【\$13,202,000】** and in-
15 sert: *\$31,504,000*

16 (59)Page 31, line 19, strike out **【\$62,637,775,000】** and
17 insert: *\$62,640,775,000*

18 (60)Page 32, line 24, strike out **【\$2,183,985,000】** and
19 insert: *\$2,207,237,000*

20 (61)Page 33, line 1, strike out **【\$2,183,985,000】** and
21 insert: *\$2,207,237,000*

1 (62)Page 34, line 21, strike out **【\$21,237,101,000】** and
2 insert: *\$21,192,101,000*

3 (63)Page 35, line 8, strike out **【\$5,127,785,000】** and
4 insert: *\$5,157,011,000*

5 (64)Page 35, line 20, strike out **【\$352,000,000】** and
6 insert: *\$320,000,000*

7 (65)Page 35, line 23, strike out **【\$130,000,000】** and
8 insert: *\$64,000,000*

9 (66)Page 36, after line 24 insert:

10 *The Secretary shall provide payments under titles IV–*
11 *A and XIX of the Social Security Act to carry out a dem-*
12 *onstration project for a qualified program in accordance*
13 *with this section which shall take effect on January 1, 1995.*
14 *For each calendar quarter in which there is a qualified pro-*
15 *gram as defined below, the Secretary shall pay to the State*
16 *for the purpose of transmittal to the operator of the quali-*
17 *fied program, for no more than 20 calendar quarters, an*
18 *amount equal to the aggregate amount that would otherwise*
19 *have been payable to the State with respect to the partici-*
20 *pants in the program for such a calendar quarter, in the*
21 *absence of the program, for cash assistance and child care*
22 *under part A of title IV of the Social Security Act, for medi-*
23 *cal assistance under title XIX of such Act, and for adminis-*
24 *trative expenses related to such assistance. The term “quali-*

1 *fied program” means a program operated by the New Hope*
 2 *Project, Inc., which assists low-income residents of Milwau-*
 3 *kee, Wisconsin, move from welfare to work, in accordance*
 4 *with an application to be prepared by the operator to the*
 5 *qualified program, transmitted by the State to the Sec-*
 6 *retary, and defined by and approved by the Secretary. The*
 7 *application shall provide for evaluation of the demonstra-*
 8 *tion project; funds provided herein may not be used for said*
 9 *evaluation.*

10 **(67)**Page 37, line 9, strike out **【\$250,000,000】** and in-
 11 sert: *\$89,592,000*

12 **(68)**Page 37, line 13, strike out **【\$1,225,000,000】** and
 13 insert: *\$1,475,000,000*

14 **(69)**Page 38, after line 13, insert:

15 *STATE LEGALIZATION IMPACT-ASSISTANCE GRANTS*

16 *(INCLUDING RESCISSION)*

17 *(a) Funds not expended by the States by July 1, 1995,*
 18 *under section 204(b)(4) of the Immigration and Nationality*
 19 *Act are hereby rescinded.*

20 *(b) For allotments of funds to the States made by the*
 21 *Secretary of Health and Human Services for the purpose*
 22 *of making payments to public and private nonprofit orga-*
 23 *nizations for—*

1 (1) *public information and outreach activities*
2 *regarding naturalization and citizenship; and*

3 (2) *English language and civics instruction pro-*
4 *vided to any adult eligible legalized alien who has not*
5 *met the requirements of section 312 of the Immigra-*
6 *tion and Nationality Act for purposes of becoming*
7 *naturalized as a citizen of the United States,*
8 *\$8,000,000:*

9 *Provided, That the Secretary of Health and Human Serv-*
10 *ices shall allocate such amount among the States not later*
11 *than August 15, 1995: Provided further, That each State's*
12 *share of these funds shall be equal to that State's percentage*
13 *share of the total costs of administering and providing edu-*
14 *cational services to eligible legalized aliens in all States*
15 *through fiscal year 1994, as determined by the Secretary:*
16 *Provided further, That the definition of "eligible legalized*
17 *alien" contained in section 204(j)(4) of the Immigration*
18 *Reform and Control Act of 1986 is amended by inserting*
19 *before the period at the end " , except that the five-year limi-*
20 *tation shall not apply for the purposes of providing public*
21 *information and outreach activities regarding naturaliza-*
22 *tion and citizenship; and English language and civics in-*
23 *struction to any adult eligible legalized alien who has not*
24 *met the requirements of section 312 of the Immigration and*
25 *Nationality Act for purposes of becoming naturalized as a*

1 *citizen of the United States*”: *Provided further, That each*
2 *State may designate the appropriate agency or agencies to*
3 *administer funds under this heading: Provided further,*
4 *That section 204(b)(4) of the Immigration Reform and Con-*
5 *trol Act of 1986 is amended by striking the fourth sentence*
6 *and inserting the following: “Funds made available to a*
7 *State pursuant to the preceding sentence of this paragraph*
8 *shall be utilized by the State to reimburse all allowable costs*
9 *within 90 days after a State has received a reallocation*
10 *of funds from the Secretary, but in no event later than July*
11 *31, 1995.”.*

12 **(70)**Page 38, line 18, strike out **【\$465,714,000】** and
13 insert: *\$476,219,000, of which \$12,000,000 shall be for car-*
14 *rying out the National Youth Sports Program: Provided,*
15 *That payments from such amount to the grantee and*
16 *subgrantees administering the National Youth Sports Pro-*
17 *gram may not exceed the aggregate amount contributed in*
18 *cash or in kind by the grantee and subgrantees: Provided*
19 *further, That amounts in excess of \$9,400,000 for such*
20 *amount may not be made available to the grantee and*
21 *subgrantees administering the National Youth Sports Pro-*
22 *gram unless the grantee agrees to provide contributions in*
23 *cash over and above the preceding year’s cash contribution*
24 *to such program in an amount that equals 29 percent of*
25 *such excess amount*

1 (71)Page 40, line 3, strike out **[\$4,408,775,000]** and
2 insert: *\$4,415,514,000*

3 (72)Page 40, line 11, strike out **[\$3,440,871,000]** and
4 insert: *\$3,597,371,000*

5 (73)Page 40, line 17, strike out **[\$869,823,000]** and
6 insert: *\$873,662,000*

7 (74)Page 40, line 22, strike out **[\$89,500,000]** and in-
8 sert: *\$88,774,000*

9 (75)Page 41, line 8, after “therein” insert: *, together*
10 *with any funds, to remain available until expended, that*
11 *represent the equitable share from the forfeiture of property*
12 *in investigations in which the Office of Inspector General*
13 *participated and which are transferred to the Office of the*
14 *Inspector General by the Department of Justice or the De-*
15 *partment of the Treasury*

16 (76)Page 41, line 18, strike out **[\$14,632,000]** and in-
17 sert: *\$10,741,000*

18 (77)Page 42, line 7, strike out **[and section 1503]**

19 (78)Page 42, strike out lines 10 to 19 and insert:

20 *SEC. 204. None of the funds made available by this*
21 *Act may be used to withhold payment to any State under*
22 *the Child Abuse Prevention and Treatment Act by reason*

1 *of a determination that the State is not in compliance with*
2 *section 1340.2(d)(2)(ii) of title 45 of the Code of Federal*
3 *Regulations. This provision expires upon the date of enact-*
4 *ment of the reauthorization of the Child Abuse Prevention*
5 *and Treatment Act or upon September 30, 1995, whichever*
6 *occurs first.*

7 **(79)**Page 43, after line 14, insert:

8 *SEC. 206. None of the funds appropriated in this title*
9 *for the National Institutes of Health and the Substance*
10 *Abuse and Mental Health Services Administration shall be*
11 *used to pay the salary of an individual, through a grant*
12 *or other extramural mechanism, at a rate in excess of*
13 *\$125,000 per year.*

14 **(80)**Page 43, after line 14, insert:

15 *SEC. 207. (a) Of the budgetary resources available to*
16 *the Department of Health and Human Services for space*
17 *rental charges (excluding Food and Drug Administration*
18 *and the Indian Health Service) during fiscal year 1995,*
19 *\$4,505,000 are permanently canceled.*

20 *(b) The Secretary of Health and Human Services shall*
21 *allocate the amount of budgetary resources canceled among*
22 *the Department's accounts (excluding the Food and Drug*
23 *Administration and the Indian Health Service) available*
24 *for space rental charges. Amounts available for space rental*

1 *charges in each such account shall be reduced by the amount*
2 *allocated to such account.*

3 **(81)**Page 43, after line 14, insert:

4 *SEC. 208. Taps and other assessments made by any*
5 *office located in the Department of Health and Human*
6 *Services shall be treated as a reprogramming of funds and*
7 *shall not be available for obligation or expenditure except*
8 *in compliance with the Committee reprogramming proce-*
9 *dures.*

10 **(82)**Page 43, after line 14, insert:

11 *SEC. 209. None of the funds made available by this*
12 *Act shall be obligated or expended for storage or distribution*
13 *of publicly-purchased pediatric vaccine through a ware-*
14 *house and distribution facility operated by the General*
15 *Services Administration until such time as the Secretary*
16 *of Health and Human Services receives written approval*
17 *by the Appropriations Committees of both the House and*
18 *Senate: Provided, That such approval shall be contingent*
19 *upon the following requirements:*

20 *(1) All aspects of the ordering, storage, packag-*
21 *ing and distribution system are fully developed, tested*
22 *and validated in accordance with the requirements*
23 *imposed on commercial manufacturers and distribu-*
24 *tors.*

1 (2) *The Commissioner of FDA has conducted a*
2 *complete review of all aspects of the system, has re-*
3 *viewed and verified documentation of testing and val-*
4 *idation procedures, and has provided documentation*
5 *to the Committees of both the House and the Senate*
6 *that all licensing and performance standards required*
7 *of commercial distributors have been met by the Gen-*
8 *eral Services Administration system.*

9 (3) *The Secretary has provided documentation to*
10 *the Committees of both Houses that the cost of the*
11 *General Services Administration system is lower than*
12 *the cost of private sector bids.*

13 *SEC. 210. VISAS FOR OFFICIALS OF TAIWAN.—Section*
14 *4(b)(6) of the Taiwan Relations Act (22 U.S.C. 3302(b)(6))*
15 *is amended—*

16 (1) *by inserting “(A)” immediately after “(6)”;*
17 *and*

18 (2) *by adding at the end the following:*

19 “(B) *Whenever the president of Taiwan or any*
20 *other high-level official of Taiwan shall apply to visit*
21 *the United States for the purposes of discussions with*
22 *United States Federal or State Government officials*
23 *concerning:*

1 “(i) Trade or business with Taiwan that
2 will reduce the United States-Taiwan trade defi-
3 cit;

4 “(ii) Prevention of nuclear proliferation;

5 “(iii) Threats to the national security of the
6 United State;

7 “(iv) The protection of the global environ-
8 ment;

9 “(v) The protection of endangered species;
10 or

11 “(vi) Regional humanitarian disasters.

12 *The official shall be admitted to the United States,*
13 *unless the official is otherwise excludable under the*
14 *immigration laws of the United States.”.*

15 **(83)**Page 43, after line 14, insert:

16 *SEC. 211. (a) Of the funds appropriated or otherwise*
17 *made available for the Department of Health and Human*
18 *Services General Departmental Management for fiscal year*
19 *1995, the Secretary of Health and Human Services shall*
20 *transfer to the Office of the Inspector General such sums*
21 *as may be necessary for any expenses with respect to the*
22 *provision of security protection for the Secretary of Health*
23 *and Human Services.*

24 *(b) The Comptroller General of the United States shall*
25 *conduct a review on the need of personal security protection*

1 *for all cabinet and subcabinet officials in the Federal Gov-*
 2 *ernment, and shall not later than April 1, 1995, prepare*
 3 *and submit a report to the Senate and House Committees*
 4 *on Appropriations of the findings of the Comptroller.*

5 **(84)**Page 43, after line 14, insert:

6 ***SEC. 212. DIRECTION TO THE SECRETARY OF HEALTH AND***
 7 ***HUMAN SERVICES REGARDING ACTION ON A***
 8 ***REQUEST FOR CERTAIN WAIVERS UNDER THE***
 9 ***AFDC PROGRAM.***

10 *In the event the Secretary of Health and Human Serv-*
 11 *ices (hereafter referred to in this section as the “Secretary”)*
 12 *fails to approve the application for waivers to conduct a*
 13 *demonstration project, known as JOBS Plus, under section*
 14 *1115 of the Social Security Act submitted by the Oregon*
 15 *Department of Human Resources on October 28, 1993,*
 16 *(hereafter referred to in this section as the “application”)*
 17 *by the date of the enactment of this Act, notwithstanding*
 18 *the Secretary’s authority to approve the application under*
 19 *such section, the application shall be deemed approved.*

20 **(85)**Page 43, lines 19 and 20, strike out **[and III]** and
 21 insert: *, III, and IV*

22 **(86)**Page 44, line 5, strike out **[passed the House of**
 23 **Representatives on March 24, 1994]** and insert: *passed*
 24 *the Senate on August 2, 1994*

1 (87)Page 44, line 7, strike out **[\$7,245,655,000]** and
2 insert: *\$7,233,411,000*

3 (88)Page 44, line 7, strike out **[\$7,212,093,000]** and
4 insert: *\$7,214,849,000*

5 (89)Page 44, line 11, after “agencies,” insert: *not less*
6 *than*

7 (90)Page 44, line 14, strike out **[\$37,244,000]** and in-
8 sert: *not less than \$40,000,000*

9 (91)Page 44, line 16, after “activities,” insert: *no more*
10 *than*

11 (92)Page 44, line 17, strike out **[\$15,000,000 shall be**
12 **for demonstration grants,]**

13 (93)Page 44, lines 22 and 23, strike out **[passed the**
14 **House of Representatives on March 24, 1994]** and insert:
15 *passed the Senate on August 2, 1994*

16 (94)Page 44, line 23, strike out **[\$728,000,000]** and
17 insert: *\$666,880,000*

18 (95)Page 44, line 26, strike out **[8004(f)]** and insert:
19 *9004(f)*

20 (96)Page 45, line 3, strike out **[III, IV, and V]** and
21 insert: *IV, V, VII, VIII, IX, and XV*

1 **(97)**Page 45, lines 5 and 6, strike out **【passed the**
2 **House of Representatives on March 24, 1994】** and insert:
3 *passed the Senate on August 2, 1994*

4 **(98)**Page 45, line 9, strike out **【\$1,424,513,000】** and
5 insert: *\$1,570,201,000*

6 **(99)**Page 45, line 9, strike out **【\$1,158,695,000】** and
7 insert: *\$1,264,849,000*

8 **(100)**Page 45, line 11, strike out all after “that” down
9 to and including “3702” in line 12 and insert:
10 *\$100,000,000 shall be for education infrastructure under*
11 *title XV, \$5,899,000 shall be for law related education under*
12 *section 8252, \$37,393,000 shall be for dropout assistance*
13 *under part B of title V, \$4,185,000 shall be for Ellender*
14 *Fellowships under part E of title VIII, \$15,000,000 shall*
15 *be for education for Native Hawaiians under part C of title*
16 *IX, \$13,000,000 shall be for part A of title VIII, and*
17 *\$10,912,000 shall be for foreign language assistance under*
18 *part B of title VII*

19 **(101)**Page 45, line 16, strike out **【title VII】** and insert:
20 *titles VII and IX*

21 **(102)**Page 45, line 18, strike out all after “as” down
22 to and including “Act” in line 20 and insert: *passed the*
23 *Senate on August 2, 1994*

1 **(103)**Page 45, line 21, strike out **[\$247,572,000]** and
2 insert: *\$238,082,000*

3 **(104)**Page 45, line 22, strike out **[part C]** and insert:
4 *subpart 3 of part A of title VII*

5 **(105)**Page 45, line 23, after “program” insert: *under*
6 *part B of title IX*

7 **(106)**Page 45, line 26, strike out **[\$3,106,634,000]** and
8 insert: *\$3,299,459,000*

9 **(107)**Page 45, line 26, strike out **[\$2,858,973,000]** and
10 insert: *\$2,753,300,000*

11 **(108)**Page 46, line 2, after “1996” insert: *, of which*
12 *\$292,125,000 for section 686 shall become available for obli-*
13 *gation on September 30, 1995, and shall remain available*
14 *through September 30, 1996*

15 **(109)**Page 46, line 8, strike out **[\$2,355,600,000]** and
16 insert: *\$2,413,675,000*

17 **(110)**Page 46, line 13, strike out **[\$6,406,000]** and in-
18 sert: *\$6,680,000*

19 **(111)**Page 46, line 17, strike out **[\$41,462,000]** and
20 insert: *\$43,191,000*

1 **(112)**Page 46, strike out all after line 17 down to and
2 including “expended” in line 20 and insert: *\$336,000 shall*
3 *be for the endowment program as authorized under section*
4 *207 and shall be available until expended and \$150,000*
5 *shall be for construction and shall be available until ex-*
6 *pended*

7 **(113)**Page 46, line 26, strike out **[\$76,742,000]** and
8 insert: *\$80,030,000*

9 **(114)**Page 46, line 26, strike out **[\$991,000]** and in-
10 sert: *\$1,000,000*

11 **(115)**Page 47, line 6, after “Act,” the second time it
12 appears, insert: *the National Literacy Act of 1991,*

13 **(116)**Page 47, line 8, strike out **[\$1,456,383,000, of**
14 **which \$1,453,464,000]** and insert: *\$1,475,736,000, of*
15 *which \$1,472,817,000*

16 **(117)**Page 47, line 14, strike out **[\$25,767,000]** and
17 insert: *\$37,096,000*

18 **(118)**Page 47, line 17, strike out **[\$13,000,000]** and
19 insert: *\$23,245,000*

20 **(119)**Page 47, line 19, strike out **[\$4,916,000]** and in-
21 sert: *\$6,000,000*

1 **(120)**Page 47, line 21, strike out **【\$5,400,000】** and in-
2 sert: *\$3,900,000*

3 **(121)**Page 47, lines 21 and 22, strike out **【sections 382**
4 **and 383】** and insert: *section 383*

5 **(122)**Page 48, line 3, strike out **【\$7,825,417,000】** and
6 insert: *\$7,685,524,000*

7 **(123)**Page 48, line 5, strike out **【\$54,322,000】** and in-
8 sert: *\$72,429,000*

9 **(124)**Page 48, after line 25 insert:

10 *FEDERAL DIRECT STUDENT LOAN PROGRAM ACCOUNT*

11 *For the cost of direct loans authorized by title IV, part*
12 *D, of the Higher Education Act, as amended, such sums*
13 *as may be necessary to carry out the purposes of the pro-*
14 *gram, including such sums as may be derived from negative*
15 *subsidy receipts: Provided, That such costs, including costs*
16 *of modifying such loans, shall be as defined in section 502*
17 *of the Congressional Budget Act of 1974.*

18 **(125)**Page 49, line 3, strike out **【II, without regard to**
19 **section 241(d),】**

20 **(126)**Page 49, line 5, strike out **【part A, and subpart**
21 **1 of part B of title X,】** and insert: *VIII, IX, part A, sub-*
22 *part 1 of part B, and part D of title X, and*

1 **(127)**Page 49, line 6, after “1151,” insert: *and section*
2 *1521 as amended by Public Law 103–239, to be adminis-*
3 *tered by the Secretary of Education,*

4 **(128)**Page 49, line 6, strike out **[and XV]**

5 **(129)**Page 49, lines 8 and 9, strike out **[title VI, includ-**
6 **ing part C,]** and insert: *and title VI*

7 **(130)**Page 49, lines 10 and 11, strike out **[and Public**
8 **Law 102–423; \$954,686,000, of which \$8,248,000]** and
9 insert: *\$946,703,000, of which \$7,498,000*

10 **(131)**Page 49, lines 14 and 15, strike out **[and**
11 **\$4,000,000 for Public Law 102–423]**

12 **(132)**Page 49, line 16, strike out all after “pending”
13 down to and including “programs” in line 18

14 **(133)**Page 49, line 21, strike out **[\$206,463,000]** and
15 insert: *\$192,896,000*

16 **(134)**Page 49, line 21, strike out **[\$7,910,000]** and in-
17 sert: *\$3,530,000*

18 **(135)**Page 49, strike out all after line 24 down to and
19 including “construction” in line 26

20 **(136)**Page 50, line 14, strike out **[\$134,000]** and in-
21 sert: *\$168,000*

1 **(137)**Page 50, line 19, strike out **【\$8,000,000】** and in-
2 sert: *\$10,000,000*

3 **(138)**Page 52, line 2, strike out all after “1965” down
4 to and including “technology” in line 14 and insert: , as
5 amended by the Improving America’s Schools Act as passed
6 the Senate on August 2, 1994; the National Education Sta-
7 tistics Act of 1994, as passed the Senate on August 2, 1994;
8 and title VI of Public Law 103–227; \$371,586,000: Pro-
9 vided, That \$41,000,000 shall be for regional laboratories,
10 including rural initiatives and network activities;
11 \$33,000,000 shall be for research centers; \$43,000,000 shall
12 be for the Fund for the Improvement of Education, includ-
13 ing \$5,000,000 for title VI of Public Law 103–227,
14 \$3,000,000 for Elementary School Counseling Demonstra-
15 tions, \$125,000 for National Student and Parent Mock
16 Elections, \$1,000,000 for the Partnerships in Character
17 Education Pilot Project, \$500,000 for Promoting Scholar-
18 Athlete Competitions, and \$900,000 for 21st Century Com-
19 munity Learning Centers, as authorized by title VIII of the
20 Elementary and Secondary Education Act, as amended by
21 the Improving America’s Schools Act as passed the Senate
22 on August 2, 1994; \$4,463,000 shall be for civic education
23 activities; \$14,480,000 shall be for the National Diffusion
24 Network; \$40,000,000 shall be for Eisenhower professional
25 development Federal activities, including not less than

1 \$5,472,000 for the National Clearinghouse for Science and
2 Mathematics, \$15,000,000 for regional consortia, and
3 \$3,000,000 for part E of title II of the Elementary and Sec-
4 ondary Education Act, as amended by the Improving Amer-
5 ica's Schools Act as passed the Senate on August 2, 1994;
6 and \$50,000,000 shall be for education technology activities
7 under part A of title III of the Elementary and Secondary
8 Education Act, as amended by the Improving America's
9 Schools Act as passed the Senate on August 2, 1994

10 **(139)**Page 52, lines 18 and 19, strike out **【section 222**
11 **of the Higher Education Act, \$115,996,000】** and insert:
12 *title II of the Higher Education Act, \$147,558,000, of which*
13 *\$17,792,000 shall be used to carry out the provisions of title*
14 *II of the Library Services and Construction Act and shall*
15 *remain available until expended, and \$4,916,000 shall be*
16 *for section 222 and \$8,270,000 shall be for section 223 of*
17 *the Higher Education Act, of which \$2,500,000 shall be for*
18 *demonstration of on-line and dial-in access to a statewide,*
19 *multitype library bibliographic data base through a state-*
20 *wide fiber optic network housing a point of presence in*
21 *every county, connecting library services in every munici-*
22 *pality, and \$1,500,000 shall be for a demonstration project*
23 *making Federal information and other data bases available*
24 *for public use by connecting Internet to a multistate consor-*

1 *tium of public and private colleges and universities, a pub-*
2 *lic library system, and a State historical library*

3 **(140)**Page 52, line 26, strike out **【\$359,358,000】** and
4 insert: *\$346,008,000*

5 **(141)**Page 53, line 8, strike out **【\$29,199,000】** and in-
6 sert: *\$31,675,000*

7 **(142)**Page 55, line 12, strike out **【\$59,816,000】** and
8 insert: *\$56,820,000*

9 **(143)**Page 56, line 7, strike out **【\$205,771,000】** and
10 insert: *\$217,688,000*

11 **(144)**Page 56, strike out lines 9 to 11 and insert:

12 *For payment to the Corporation for Public Broadcast-*
13 *ing, as authorized by the Communications Act of 1934, an*
14 *amount which shall be available within limitations speci-*
15 *fied by that Act, for the fiscal year 1997, \$330,000,000: Pro-*
16 *vided, That no funds made available to the Corporation for*
17 *Public Broadcasting by this Act shall be used to pay for*
18 *receptions, parties, or similar forms of entertainment for*
19 *Government officials or employees: Provided further, That*
20 *none of the funds contained in this paragraph shall be*
21 *available or used to aid or support any program or activity*
22 *from which any person is excluded, or is denied benefits,*

1 *or is discriminated against, on the basis of race, color, na-*
2 *tional origin, religion, or sex.*

3 **(145)**Page 56, line 22, strike out **【\$31,078,000】** and
4 insert: *\$31,610,000*

5 **(146)**Page 57, line 18, strike out **【\$1,643,000】** and in-
6 sert: *\$1,843,000*

7 **(147)**Page 57, line 24, strike out **【\$173,388,000】** and
8 insert: *\$176,047,000*

9 **(148)**Page 60, line 20, after “achieved” insert: *: Pro-*
10 *vided further, That notwithstanding any other provision of*
11 *law, no portion of this limitation shall be available for pay-*
12 *ments of standard level user charges pursuant to section*
13 *210(j) of the Federal Property and Administrative Services*
14 *Act of 1949, as amended (40 U.S.C. 490(j); 45 U.S.C. 231-*
15 *231u)*

16 **(149)**Page 61, line 15, strike out **【\$6,682,000】** and in-
17 sert: *\$6,860,000*

18 **(150)**Page 61, line 22, strike out **【\$10,912,000】** and
19 insert: *\$11,500,000*

20 **(151)**Page 64, strike out lines 9 to 19 and insert:

21 *SEC. 507. No funds appropriated pursuant to this Act*
22 *may be expended by an entity unless the entity agrees that*

1 *in expending the assistance the entity will comply with sec-*
2 *tions 2 through 4 of the Act of March 3, 1933 (41 U.S.C.*
3 *10a–10c, popularly known as the “Buy American Act”).*

4 **(152)**Page 65, strike out lines 13 to 16

5 **(153)**Page 65, strike out lines 17 to 20 and insert:

6 *SEC. 511. None of the funds appropriated or otherwise*
7 *made available under this Act may be obligated in violation*
8 *of existing Federal law or regulation already prohibiting*
9 *such benefit or assistance. None of the funds appropriated*
10 *under this Act may be used by any Federal official, or any*
11 *State or local official, to encourage the application by or*
12 *on behalf of illegal aliens for Federal or federally assisted*
13 *benefits for which they are not eligible. Each State agency*
14 *and each other entity administering a program under*
15 *which verification of immigration status is required by sec-*
16 *tion 121 of the Immigration Reform and Control Act of*
17 *1986 shall participate in the system for the verification of*
18 *such status established by the Commissioner of the Immi-*
19 *gration and Naturalization pursuant to section 121(c) of*
20 *that Act, unless an alternative system is available and em-*
21 *ployed for such purposes which is found to meet the criteria*
22 *for waiver under section 121(c)(4).*

23 *SEC. 512. Notwithstanding any other provision of law,*
24 *monthly benefit rates under part B or part C of the Black*
25 *Lung Benefits Act shall continue to be based on the benefit*

1 rates in effect in September, 1994 and be paid in accord-
2 ance with the Act, until exceeded by the benefit rate speci-
3 fied in section 412(a)(1) of the Act.

4 *SEC. 513. No more than one percent of salaries appro-*
5 *priated for each Agency in this Act may be expended by*
6 *that Agency on cash performance awards.*

7 *SEC. 514. Funds available for executive direction, ex-*
8 *cluding the Centers for Disease Control and Prevention, the*
9 *National Institutes of Health and the Social Security Ad-*
10 *ministration, shall not exceed the amounts set forth in the*
11 *budget estimates submitted to Congress for fiscal year 1995.*

12 *SEC. 515. (a) No appropriations for Agencies in this*
13 *Act may be used to fund non-formula grants or contracts*
14 *or modifications thereto to grantees or contractors deter-*
15 *mined by each Agency's grant or contracting officer to have*
16 *previously included expressly unallowable costs in required*
17 *cost reports or in claims to the Government, unless such*
18 *grant or contract includes a clause which—*

19 *(1) specifically states that the costs previously*
20 *determined to be unallowable will not again be re-*
21 *ported as allowable costs or claimed for reimburse-*
22 *ment, and*

23 *(2) requires the submission of a certification by*
24 *the grantee or contractor attesting to (1) above.*

1 (b) A grantee or contractor that knowingly submits a
2 cost report or claim for reimbursement which includes a
3 cost that is expressly specified by regulation as being unal-
4 lowable and which was determined to have been disallowed
5 in a previous grant or contract with this grantee or contrac-
6 tor shall be subject to the provisions of 18 U.S.C. 287, 31
7 U.S.C. 3729, and/or 31 U.S.C. 3801.

8 (c) The unallowability of a type of cost reported or
9 claimed for reimbursement may be evidenced by a prior
10 final determination by a grant or contracting officer of the
11 Agency disallowing such costs charged by that grantee or
12 contractor which determination is, where appropriate,
13 upheld by any adjudicatory body, such as an Administra-
14 tive Law Judge, Board of Contract Appeals, or other higher
15 level review provided by law or regulation.

16 **SEC. 516. PROTECTION AGAINST THE HUMAN**
17 **IMMUNODEFICIENCY VIRUS.**

18 Chapter 51 of title 18, United States Code, is amended
19 by adding at the end thereof the following new section:

20 **“§ 1118. Protection against the Human**
21 **Immunodeficiency Virus**

22 “(a) *IN GENERAL.*—Whoever, after testing positive for
23 the Human Immunodeficiency Virus (HIV) and receiving
24 actual notice of that fact, knowingly donates or sells, or
25 knowingly attempts to donate or sell, blood, semen, tissues,

1 *organs, or other bodily fluids, except as determined nec-*
2 *essary for medical research, shall be fined or imprisoned*
3 *in accordance with subsection (c).*

4 “(b) *TRANSMISSION NOT REQUIRED.*—*Transmission of*
5 *the Human Immunodeficiency Virus does not have to occur*
6 *for a person to be convicted of a violation of this section.*

7 “(c) *PENALTY.*—*Any person convicted of violating the*
8 *provisions of subsection (a) shall be subject to a fine of not*
9 *less than \$10,000 nor more than \$20,000 and imprisoned*
10 *for not less than 1 year nor more than 10 years, or both.”.*

11 **(154)**Page 65, after line 20 insert:

12 *SEC. 517. (a)(1) The Senate finds that Federal pay-*
13 *ments in lieu of taxes to counties compensate local jurisdic-*
14 *tions for services provided in areas owned by the Federal*
15 *Government and for tax revenues foregone due to such Fed-*
16 *eral ownership.*

17 *(2) PILT payments are critical to counties to provide*
18 *vital basic services such as emergency search and rescue;*
19 *law enforcement; fire and emergency medical services; solid*
20 *waste management, road maintenance, and health and*
21 *other human services.*

22 *(3) PILT payments have not been increased since*
23 *1976, and the consumer price index has risen 127 percent*
24 *since 1976.*

1 *an emergency requirement pursuant to section*
2 *251(b)(2)(D)(i) of the Balanced Budget and Emergency*
3 *Deficit Control Act of 1985, as amended: Provided further,*
4 *That the entire amount shall be available only to the extent*
5 *an official budget request, for a specific dollar amount, that*
6 *includes designation of the entire amount of the request as*
7 *an emergency requirement, as defined in the Balanced*
8 *Budget and Emergency Deficit Control Act of 1985 as*
9 *amended, is transmitted by the President to the Congress.*

10 **(157)**Page 65, after line 20 insert:

11 *DEPARTMENT OF EDUCATION*

12 *IMPACT AID*

13 *For carrying out disaster assistance activities related*
14 *to the flooding caused by tropical storm Alberto and other*
15 *disasters, authorized under section 7(a) of Public Law 81–*
16 *874, \$10,000,000, to remain available until expended, of*
17 *which \$10,000,000 shall be available from funds provided*
18 *under the heading “DEPARTMENT OF EDUCATION”*
19 *under the heading “IMPACT AID” in the Emergency Supple-*
20 *mental Appropriations Act of 1994 (Public Law 103–211):*
21 *Provided, That such funds shall be available only to the*
22 *extent an official budget request for a specific dollar*
23 *amount, that includes designation of the entire amount of*
24 *the request as an emergency requirement as defined in the*
25 *Balanced Budget and Emergency Deficit Control Act of*

1 1985, as amended, is transmitted by the President to the
2 Congress: Provided, That the entire amount is designated
3 by the Congress as an emergency requirement pursuant to
4 section 251(b)(2)(D)(i) of the Balanced Budget and Emer-
5 gency Deficit Control Act of 1985, as amended.

Attest:

Secretary.

HR 4606 EAS—2

HR 4606 EAS—3

HR 4606 EAS—4

HR 4606 EAS—5

HR 4606 EAS—6

HR 4606 EAS—7

HR 4606 EAS—8

HR 4606 EAS—9

HR 4606 EAS—10

HR 4606 EAS—11