

103^D CONGRESS
2^D SESSION

H. R. 4606

IN THE HOUSE OF REPRESENTATIVES

AUGUST 10, 1994

Ordered to be printed with the amendments of the Senate numbered

AN ACT

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1995, 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
6 Education, and related agencies for the fiscal year ending
7 September 30, 1995, and for other purposes, namely:

1 TITLE I—DEPARTMENT OF LABOR
 2 EMPLOYMENT AND TRAINING ADMINISTRATION
 3 PROGRAM ADMINISTRATION

4 For expenses of administering employment and train-
 5 ing programs and for carrying out section 908 of the So-
 6 cial Security Act, \$90,276,000, together with not to ex-
 7 ceed \$45,073,000, which may be expended from the Em-
 8 ployment Security Administration account in the Unem-
 9 ployment Trust Fund.

10 TRAINING AND EMPLOYMENT SERVICES

11 **(1)** *(INCLUDING RESCISSION)*

12 For expenses necessary to carry into effect the Job
 13 Training Partnership Act, as amended, including the pur-
 14 chase and hire of passenger motor vehicles, the construc-
 15 tion, alteration, and repair of buildings and other facili-
 16 ties, and the purchase of real property for training centers
 17 as authorized by the Job Training Partnership Act; title
 18 II of the Civil Rights Act of 1991; title XV, part A of
 19 Public Law 102-325; title VII, subtitle C of the Stewart
 20 B. McKinney Homeless Assistance Act; the Women in Ap-
 21 prenticeship and Nontraditional Occupations Act; Goals
 22 2000: Educate America Act; and the School-to-Work Op-
 23 portunities Act; **(2)**~~\$5,524,991,000~~ \$5,468,217,000 plus
 24 reimbursements, of which **(3)**~~\$5,035,179,000~~
 25 \$5,234,055,000 is available for obligation for the period
 26 July 1, 1995 through June 30, 1996; of which

1 ~~(4)\$150,000,000~~ \$126,556,000 is available for the period
2 July 1, 1995 through June 30, 1998 for necessary ex-
3 penses of construction, rehabilitation, and acquisition of
4 Job Corps centers, ~~(5)including \$51,254,000 for new cen-~~
5 ~~ters;~~ of which \$184,788,000 shall be available for the pe-
6 riod ~~October 1, 1994 through June 30, 1995;~~ and of which
7 ~~(6)\$140,000,000~~ \$100,000,000 shall be available for obli-
8 gation from July 1, 1995 through September 30, 1996,
9 for carrying out activities of the School-to-Work Opportu-
10 nities Act: *Provided*, That ~~(7)\$63,666,000~~ \$64,218,000
11 shall be for carrying out section 401 of the Job Training
12 Partnership Act, ~~(8)\$84,841,000~~ \$86,000,000 shall be for
13 carrying out section 402 of such Act, \$8,880,000 shall be
14 for carrying out section 441 of such Act, ~~(9)\$1,500,000~~
15 \$2,223,000 shall be for the National Commission for Em-
16 ployment Policy, ~~(10)\$5,579,000~~ \$6,000,000 shall be for
17 all activities conducted by and through the National Occu-
18 pational Information Coordinating Committee under such
19 Act, \$3,861,000 shall be for service delivery areas under
20 section 101(a)(4)(A)(iii) of such Act in addition to
21 amounts otherwise provided under sections 202, 252 and
22 262 of the Act, ~~(11)\$1,044,813,000~~ \$1,064,813,000 shall
23 be for carrying out title II, part A of such Act, and
24 \$598,682,000 shall be for carrying out title II, part C of
25 such Act: *Provided further*, That no funds from any other

1 appropriation shall be used to provide meal services at or
2 for Job Corps centers**(12)**: *Provided further, That funds*
3 *used from this Act to carry out title III of the Job Training*
4 *Partnership Act shall not be subject to the limitation con-*
5 *tained in subsection (b) of section 315 of such Act; that the*
6 *waiver allowing a reduction in the cost limitation relating*
7 *to retraining services described in subsection (a)(2) of such*
8 *section 315 may be granted with respect to funds used from*
9 *this Act if a substate grantee demonstrates to the Governor*
10 *that such waiver is appropriate due to the availability of*
11 *low-cost retraining services, is necessary to facilitate the*
12 *provision of needs-related payments to accompany long-*
13 *term training, or is necessary to facilitate the provision of*
14 *appropriate basic readjustment services; and that funds*
15 *used from this Act to carry out the Secretary's discretionary*
16 *grants under part B of such title III may be used to provide*
17 *needs-related payments to participants who, in lieu of meet-*
18 *ing the requirements relating to enrollment in training*
19 *under section 314(e) of such Act, are enrolled in training*
20 *by the end of the sixth week after grant funds have been*
21 *awarded.*

22 **(13)***Of the amounts made available in fiscal year*
23 *1994 under the Job Training Partnership Act, title II-C,*
24 *\$50,000,000 are hereby rescinded.*

1 3202(a)(1)(E)); title III of the Social Security Act, as
 2 amended (42 U.S.C. 502–504); necessary administrative
 3 expenses for carrying out 5 U.S.C. 8501–8523, and sec-
 4 tions 225, 231–235, 243–244, and 250(d)(1), 250(d)(3),
 5 title II of the Trade Act of 1974, as amended; as author-
 6 ized by section 7c of the Act of June 6, 1933, as amended,
 7 necessary administrative expenses under sections
 8 101(a)(15)(H), 212(a)(5)(A), (m) (2) and (3), (n)(1), and
 9 218(g) (1), (2), and (3), and 258(c) of the Immigration
 10 and Nationality Act, as amended (8 U.S.C. 1101 et seq.);
 11 necessary administrative expenses to carry out the Tar-
 12 geted Jobs Tax Credit Program under section 51 of the
 13 Internal Revenue Code of 1986, and section 221(a) of the
 14 Immigration Act of 1990, ~~(14)~~\$146,697,000
 15 \$147,351,000, together with not to exceed
 16 ~~(15)~~\$3,269,013,000 \$3,280,357,000 (including not to ex-
 17 ceed \$1,653,000 which may be used for amortization pay-
 18 ments to States which had independent retirement plans
 19 in their State employment service agencies prior to 1980,
 20 and including not to exceed \$1,000,000 which may be obli-
 21 gated in contracts with non-State entities for activities
 22 such as occupational and test research activities which
 23 benefit the Federal-State Employment Service System),
 24 which may be expended from the Employment Security
 25 Administration account in the Unemployment Trust

1 Fund, and of which the sums available in the allocation
 2 for activities authorized by title III of the Social Security
 3 Act, as amended (42 U.S.C. 502–504), and the sums
 4 available in the allocation for necessary administrative ex-
 5 penses for carrying out 5 U.S.C. 8501–8523, shall be
 6 available for obligation by the States through December
 7 31, 1995, except that funds used for automation acquisi-
 8 tions shall be available for obligation by States through
 9 September 30, 1997; and of which ~~(16)\$144,763,000~~
 10 *\$145,417,000* together with not to exceed
 11 ~~(17)\$817,224,000~~ *\$821,803,000* of the amount which may
 12 be expended from said trust fund shall be available for
 13 obligation for the period July 1, 1995, through June 30,
 14 1996, to fund activities under the Act of June 6, 1933,
 15 as amended, including the cost of penalty mail made avail-
 16 able to States in lieu of allotments for such purpose, and
 17 of which ~~(18)\$232,437,000~~ *\$226,000,000* shall be avail-
 18 able only to the extent necessary for additional State allo-
 19 cations to administer unemployment compensation laws to
 20 finance increases in the number of unemployment insur-
 21 ance claims filed and claims paid or changes in a State
 22 law: *Provided*, That to the extent that the Average Weekly
 23 Insured Unemployment (AWIU) for fiscal year 1995 is
 24 projected by the Department of Labor to exceed 2.772
 25 million, an additional ~~(19)\$27,800,000~~ *\$30,000,000* shall

1 unemployment benefits and allowances'' account, to re-
 2 main available until September 30, 1996, \$686,000,000.

3 In addition, for making repayable advances to the
 4 Black Lung Disability Trust Fund in the current fiscal
 5 year after September 15, 1995, for costs incurred by the
 6 Black Lung Disability Trust Fund in the current fiscal
 7 year, such sums as may be necessary.

8 OFFICE OF THE AMERICAN WORKPLACE

9 SALARIES AND EXPENSES

10 For necessary expenses for the Office of the Amer-
 11 ican Workplace, ~~(21)\$30,411,000~~ *\$32,225,000*.

12 PENSION AND WELFARE BENEFITS ADMINISTRATION

13 SALARIES AND EXPENSES

14 For necessary expenses for Pension and Welfare Ben-
 15 efits Administration, ~~(22)\$66,388,000~~ *\$69,454,000*.

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.

1 9104), as may be necessary in carrying out the program
 2 through September 30, 1995, for such Corporation: *Pro-*
 3 *vided*, That not to exceed \$11,493,000 shall be available
 4 for administrative expenses of the Corporation: *Provided*
 5 *further*, That expenses of such Corporation in connection
 6 with the termination of pension plans, for the acquisition,
 7 protection or management, and investment of trust assets,
 8 and for benefits administration services shall be consid-
 9 ered as non-administrative expenses for the purposes here-
 10 of, and excluded from the above limitation.

11 EMPLOYMENT STANDARDS ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses for the Employment Stand-
 14 ards Administration, including reimbursement to State,
 15 Federal, and local agencies and their employees for inspec-
 16 tion services rendered, ~~(23)\$242,860,000~~ \$248,667,000,
 17 together with \$1,059,000 which may be expended from the
 18 Special Fund in accordance with sections 39(c) and 44(j)
 19 of the Longshore and Harbor Workers' Compensation Act:
 20 *Provided*, That the Secretary of Labor is authorized to ac-
 21 cept, retain, and spend, until expended, in the name of
 22 the Department of Labor, all sums of money ordered to
 23 be paid to the Secretary of Labor, in accordance with the
 24 terms of the Consent Judgment in Civil Action No. 91-
 25 0027 of the United States District Court for the District

1 of the Northern Mariana Islands (May 21, 1992): *Pro-*
2 *vided further*, That the Secretary of Labor is authorized
3 to establish and, in accordance with 31 U.S.C. 3302, col-
4 lect and deposit in the Treasury fees for processing appli-
5 cations and issuing certificates under sections 11(d) and
6 14 of the Fair Labor Standards Act of 1938, as amended
7 (29 U.S.C. 211(d) and 214) and for processing applica-
8 tions and issuing registrations under Title I of the Mi-
9 grant and Seasonal Agricultural Worker Protection Act,
10 29 U.S.C. 1801 et seq.

11 SPECIAL BENEFITS

12 (INCLUDING TRANSFER OF FUNDS)

13 For the payment of compensation, benefits, and ex-
14 penses (except administrative expenses) accruing during
15 the current or any prior fiscal year authorized by title 5,
16 chapter 81 of the United States Code; continuation of ben-
17 efits as provided for under the head “Civilian War Bene-
18 fits” in the Federal Security Agency Appropriation Act,
19 1947; the Employees’ Compensation Commission Appro-
20 priation Act, 1944; and sections 4(c) and 5(f) of the War
21 Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per
22 centum of the additional compensation and benefits re-
23 quired by section 10(h) of the Longshore and Harbor
24 Workers’ Compensation Act, as amended, \$258,000,000
25 together with such amounts as may be necessary to be
26 charged to the subsequent year appropriation for the pay-

1 ment of compensation and other benefits for any period
2 subsequent to August 15 of the current year: *Provided,*
3 That such sums as are necessary may be used for a dem-
4 onstration project under section 8104 of title 5, United
5 States Code, in which the Secretary may reimburse an em-
6 ployer, who is not the employer at the time of injury, for
7 portions of the salary of a reemployed, disabled bene-
8 ficiary: *Provided further,* That balances of reimbursements
9 unobligated on September 30, 1994, shall remain available
10 until expended for the payment of compensation, benefits,
11 and expenses: *Provided further,* That in addition there
12 shall be transferred to this appropriation from the Postal
13 Service and from any other corporation or instrumentality
14 required under section 8147(c) of title 5, United States
15 Code, to pay an amount for its fair share of the cost of
16 administration, such sums as the Secretary of Labor de-
17 termines to be the cost of administration for employees
18 of such fair share entities through September 30, 1995:
19 *Provided further,* That of those funds transferred to this
20 account from the fair share entities to pay the cost of ad-
21 ministration, \$5,299,000 shall be made available to the
22 Secretary of Labor for expenditures relating to capital im-
23 provements in support of Federal Employees' Compensa-
24 tion Act administration, and the balance of such funds
25 shall be paid into the Treasury as miscellaneous receipts:

1 *Provided further*, That the Secretary may require that any
2 person filing a notice of injury or a claim for benefits
3 under Subchapter 5, U.S.C., Chapter 81, or under Sub-
4 chapter 33, U.S.C. 901, et seq. (the Longshore and Har-
5 bor Workers' Compensation Act, as amended), provide as
6 part of such notice and claim, such identifying information
7 (including Social Security account number) as such regu-
8 lations may prescribe.

9 BLACK LUNG DISABILITY TRUST FUND

10 (INCLUDING TRANSFER OF FUNDS)

11 For payments from the Black Lung Disability Trust
12 Fund, \$994,864,000, of which \$943,005,000 shall be
13 available until September 30, 1996, for payment of all
14 benefits as authorized by section 9501(d) (1), (2), (4), and
15 (7), of the Internal Revenue Code of 1954, as amended,
16 and interest on advances as authorized by section
17 9501(c)(2) of that Act, and of which \$28,216,000 shall
18 be available for transfer to Employment Standards Ad-
19 ministration, Salaries and Expenses, and \$23,333,000 for
20 transfer to Departmental Management, Salaries and Ex-
21 penses, and \$310,000 for transfer to Departmental Man-
22 agement, Office of Inspector General, for expenses of oper-
23 ation and administration of the Black Lung Benefits pro-
24 gram as authorized by section 9501(d)(5)(A) of that Act:
25 *Provided*, That in addition, such amounts as may be nec-
26 essary may be charged to the subsequent year appropria-

1 tion for the payment of compensation, interest, or other
2 benefits for any period subsequent to June 15 of the cur-
3 rent year: *Provided further*, That in addition such amounts
4 shall be paid from this fund into miscellaneous receipts
5 as the Secretary of the Treasury determines to be the ad-
6 ministrative expenses of the Department of the Treasury
7 for administering the fund during the current fiscal year,
8 as authorized by section 9501(d)(5)(B) of that Act.

9 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
10 SALARIES AND EXPENSES

11 For necessary expenses for the Occupational Safety
12 and Health Administration, \$312,500,000, including not
13 to exceed \$70,615,000 which shall be the maximum
14 amount available for grants to States under section 23(g)
15 of the Occupational Safety and Health Act, which grants
16 shall be no less than fifty percent of the costs of State
17 occupational safety and health programs required to be
18 incurred under plans approved by the Secretary under sec-
19 tion 18 of the Occupational Safety and Health Act of
20 1970; and, in addition, notwithstanding 31 U.S.C. 3302,
21 the Occupational Safety and Health Administration may
22 retain up to \$500,000 per fiscal year of training institute
23 course tuition fees, otherwise authorized by law to be col-
24 lected, and may utilize such sums for occupational safety
25 and health training and education grants: *Provided*, That

1 none of the funds appropriated under this paragraph shall
2 be obligated or expended to prescribe, issue, administer,
3 or enforce any standard, rule, regulation, or order under
4 the Occupational Safety and Health Act of 1970 which
5 is applicable to any person who is engaged in a farming
6 operation which does not maintain a temporary labor
7 camp and employs ten or fewer employees: *Provided fur-*
8 *ther,* That no funds appropriated under this paragraph
9 shall be obligated or expended to administer or enforce
10 any standard, rule, regulation, or order under the Occupa-
11 tional Safety and Health Act of 1970 with respect to any
12 employer of ten or fewer employees who is included within
13 a category having an occupational injury lost workday case
14 rate, at the most precise Standard Industrial Classifica-
15 tion Code for which such data are published, less than the
16 national average rate as such rates are most recently pub-
17 lished by the Secretary, acting through the Bureau of
18 Labor Statistics, in accordance with section 24 of that Act
19 (29 U.S.C. 673), except—

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

23 (2) to conduct an inspection or investigation in
24 response to an employee complaint, to issue a cita-
25 tion for violations found during such inspection, and

1 to assess a penalty for violations which are not cor-
 2 rected within a reasonable abatement period and for
 3 any willful violations found;

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

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

8 (5) to take any action authorized by such Act
 9 with respect to a report of an employment accident
 10 which is fatal to one or more employees or which re-
 11 sults in hospitalization of two or more employees,
 12 and to take any action pursuant to such investiga-
 13 tion authorized by such Act; and

14 (6) to take any action authorized by such Act
 15 with respect to complaints of discrimination against
 16 employees for exercising rights under such Act:

17 *Provided further*, That the foregoing proviso shall not
 18 apply to any person who is engaged in a farming operation
 19 which does not maintain a temporary labor camp and em-
 20 ploys ten or fewer employees.

21 MINE SAFETY AND HEALTH ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses for the Mine Safety and
 24 Health Administration, ~~(24)~~ ~~\$197,519,000~~ \$201,238,000,
 25 of which \$5,851,000 shall be for the State Grants Pro-

1 gram, including purchase and bestowal of certificates and
2 trophies in connection with mine rescue and first-aid work,
3 and the hire of passenger motor vehicles; the Secretary
4 is authorized to accept lands, buildings, equipment, and
5 other contributions from public and private sources and
6 to prosecute projects in cooperation with other agencies,
7 Federal, State, or private; the Mine Safety and Health Ad-
8 ministration is authorized to promote health and safety
9 education and training in the mining community through
10 cooperative programs with States, industry, and safety as-
11 sociations; and any funds available to the Department may
12 be used, with the approval of the Secretary, to provide
13 for the costs of mine rescue and survival operations in the
14 event of a major disaster: *Provided*, That none of the
15 funds appropriated under this paragraph shall be obli-
16 gated or expended to carry out section 115 of the Federal
17 Mine Safety and Health Act of 1977 or to carry out that
18 portion of section 104(g)(1) of such Act relating to the
19 enforcement of any training requirements, with respect to
20 shell dredging, or with respect to any sand, gravel, surface
21 stone, surface clay, colloidal phosphate, or surface lime-
22 stone mine.

1 BUREAU OF LABOR STATISTICS

2 SALARIES AND EXPENSES

3 For necessary expenses for the Bureau of Labor Sta-
 4 tistics, including advances or reimbursements to State,
 5 Federal, and local agencies and their employees for serv-
 6 ices rendered, ~~(25)\$296,761,000~~ \$298,761,000, of which
 7 \$5,134,000 shall be for expenses of revising the Consumer
 8 Price Index and shall remain available until September 30,
 9 1996, together with not to exceed \$54,102,000, which may
 10 be expended from the Employment Security Administra-
 11 tion account in the Unemployment Trust Fund.

12 DEPARTMENTAL MANAGEMENT

13 SALARIES AND EXPENSES

14 For necessary expenses for Departmental Manage-
 15 ment, including the hire of five sedans, and including up
 16 to \$4,392,000 for the President's Committee on Employ-
 17 ment of People With Disabilities, ~~(26)~~ *and including*
 18 *\$2,500,000 for the International Program on the Elimini-*
 19 *ation of Child Labor notwithstanding any other provision*
 20 *of law, (27)\$156,002,000, which includes \$6,500,000*
 21 *which shall remain available until expended for use by ap-*
 22 *propriate Departmental agencies for ADP equipment ac-*
 23 *quisition, systems development and associated support re-*
 24 *lated to Departmental enforcement programs;*
 25 *\$152,818,000* together with not to exceed \$328,000, which

1 may be expended from the Employment Security Adminis-
 2 tration account in the Unemployment Trust Fund.

3 ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT
 4 AND TRAINING

5 Not to exceed ~~(28)\$185,281,000~~ *\$187,964,000* may
 6 be derived from the Employment Security Administration
 7 account in the Unemployment Trust Fund to carry out
 8 the provisions of 38 U.S.C. 2001–10 and 2021–26.

9 OFFICE OF INSPECTOR GENERAL

10 For salaries and expenses of the Office of Inspector
 11 General in carrying out the provisions of the Inspector
 12 General Act of 1978, as amended, ~~(29)\$47,676,000~~
 13 *\$48,535,000*, together with not to exceed ~~(30)\$3,860,000~~
 14 *\$3,966,000*, which may be expended from the Employment
 15 Security Administration account in the Unemployment
 16 Trust Fund.

17 GENERAL PROVISIONS

18 ~~(31)SEC. 101. None of the funds in the Employees'~~
 19 ~~Compensation Fund under 5 U.S.C. 8147 shall hereafter~~
 20 ~~be expended for payment of compensation, benefits, and~~
 21 ~~expenses to any individual convicted of a violation of 18~~
 22 ~~U.S.C. 1920, or of any felony fraud related to the applica-~~
 23 ~~tion for or receipt of benefits under subchapters I or III~~
 24 ~~of chapter 81 of title 5, United States Code.~~

1 **(32)SEC. 101. DETERRENCE OF FRAUD AND ABUSE**
2 **IN THE FEDERAL EMPLOYEE’S WORKER COMPENSA-**
3 **TION PROGRAM.**

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

7 **“§ 8148. Forfeiture of benefits by convicted felons**

8 “(a) Any individual convicted of a violation of section
9 1920 of title 18, or any other Federal or State criminal
10 statute relating to fraud in the application for a receipt
11 of any benefit under this subchapter or subchapter III of
12 this chapter, shall forfeit (as of the date of such conviction)
13 any entitlement to any benefit such individual would other-
14 wise be entitled to under this subchapter or subchapter III
15 for any injury occurring on or before the date of such con-
16 viction. Such forfeiture shall be in addition to any action
17 the Secretary may take under section 8106 or 8129.

18 “(b)(1) Notwithstanding any other provision of this
19 chapter (except as provided under paragraph (3)), no bene-
20 fits under this subchapter or subchapter III of this chapter
21 shall be paid or provided to any individual during any
22 period during which such individual is confined in a jail,
23 prison, or other penal institution or correctional facility,
24 pursuant to that individual’s conviction of an offense that
25 constituted a felony under applicable law.

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

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

11 “(c) Notwithstanding the provision of section 552a of
12 this title, or any other provision of Federal or State law,
13 any agency of the United States Government or of any
14 State (or political subdivision thereof) shall make available
15 to the Secretary of Labor, upon written request, the names
16 and Social Security account numbers of individuals who
17 are confined in a jail, prison, or other penal institution
18 or correctional facility under the jurisdiction of such agen-
19 cy, pursuant to such individuals’ conviction of an offense
20 that constituted a felony under applicable law, which the
21 Secretary of Labor may require to carry out the provisions
22 of this section.”.

23 (2) The table of sections for chapter 81 of title 5, Unit-
24 ed States Code, is amended by inserting after the item relat-
25 ing to section 8147 the following new item:

“8148. Forfeiture of benefits by convicted felons.”.

1 (b) *CRIMINAL PENALTIES.*—(1) *Section 1920 of title*
2 *18, United States Code, is amended to read as follows:*

3 ***“§1920. False statement or fraud to obtain Federal***
4 ***employee’s compensation***

5 *“Whoever knowingly and willfully falsifies, conceals,*
6 *or covers up a material fact, or makes a false, fictitious,*
7 *or fraudulent statement or representation, or makes or uses*
8 *a false statement or report knowing the same to contain*
9 *any false, fictitious, or fraudulent statement or entry in*
10 *connection with the application for or receipt of compensa-*
11 *tion or other benefit or payment under subchapter I or III*
12 *of chapter 81 of title 5, shall be guilty of perjury, and on*
13 *conviction thereof shall be punished by a fine of not more*
14 *than \$250,000, or by imprisonment for not more than 5*
15 *years, or both; but if the amount of the benefits falsely ob-*
16 *tained does not exceed \$1,000, such person shall be punished*
17 *by a fine of not more than \$100,000, or by imprisonment*
18 *for not more than 1 year, or both.”.*

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

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

22 (c) *EFFECTIVE DATE.*—*The amendments made by this*
23 *section shall take effect on the date of the enactment of this*
24 *Act. The amendments made by subsection (a) shall apply*
25 *to claims filed before, on, or after the date of enactment*

1 *of this Act, and shall apply only to individuals convicted*
2 *after such date of enactment.*

3 SEC. 102. None of the funds appropriated under this
4 Act shall be expended by the Secretary of Labor to imple-
5 ment or administer either the final or proposed regulations
6 referred to in section 303 of Public Law 102-27.

7 (TRANSFER OF FUNDS)

8 SEC. 103. Not to exceed 1 percent of any appropria-
9 tion made available for the current fiscal year for the De-
10 partment of Labor in this Act may be transferred between
11 such appropriations, but no such appropriation shall be
12 increased by more than 3 percent by any such transfers:
13 *Provided, That any transfer pursuant to this section shall*
14 *be treated as a reprogramming of funds under section 104*
15 *of this Act and shall not be available for obligation or ex-*
16 *penditure except in compliance with the procedures set*
17 *forth in that section.*

18 SEC. 104. (a) None of the funds provided under this
19 Act to the Department of Labor shall be available for obli-
20 gation or expenditure through a reprogramming of funds
21 which: (1) creates new programs; (2) eliminates a pro-
22 gram, project, or activity; (3) increases funds or personnel
23 by any means for any project or activity for which funds
24 have been denied or restricted; (4) relocates an office or
25 employees; (5) reorganizes offices, programs, or activities;
26 or (6) contracts out or privatizes any functions or activi-

1 ties presently performed by Federal employees; unless the
2 Appropriations Committees of both Houses of Congress
3 are notified fifteen days in advance of such
4 reprogramming of funds.

5 (b) None of the funds provided under this Act to the
6 Department of Labor shall be available for obligation or
7 expenditure for activities, programs, or projects through
8 a reprogramming of funds in excess of \$500,000 or 10
9 percent, whichever is less, that: (1) augments existing pro-
10 grams, projects, or activities; (2) reduces by 10 percent
11 funding for any existing program, project, or activity, or
12 numbers of personnel by 10 percent as approved by Con-
13 gress; or (3) results from any general savings from a re-
14 duction in personnel which would result in a change in
15 existing programs, activities, or projects as approved by
16 Congress, unless the Appropriations Committees of both
17 Houses of Congress are notified fifteen days in advance
18 of such reprogramming of funds.

19 ~~(33)~~ *SEC. 105. The Secretary of Labor may, in his*
20 *discretion, utilize funds appropriated in this and subse-*
21 *quent Acts to engage in joint projects, or perform services,*
22 *on matters of mutual interest, with nonprofit organizations,*
23 *research organizations, or public organizations or agencies,*
24 *the cost of which shall be apportioned equitably, as deter-*
25 *mined by the Secretary: Provided, That such funds shall*

1 *not be treated as a reprogramming and shall not be avail-*
2 *able for obligation or expenditure except in compliance with*
3 *the committee reprogramming procedures.*

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

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

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

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

21 *This title may be cited as the "Department of Labor*
22 *Appropriations Act, 1995".*

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, XVI,
6 XIX, and XXVI of the Public Health Service Act, section
7 427(a) of the Federal Coal Mine Health and Safety Act,
8 title V of the Social Security Act, the Health Care Quality
9 Improvement Act of 1986, as amended, Public Law 101–
10 527, and the Native Hawaiian Health Care Act of 1988,
11 as amended, ~~(34)\$3,008,225,000~~ \$3,066,254,000, of
12 which \$411,000 shall remain available until expended for
13 interest subsidies on loan guarantees made prior to fiscal
14 year 1981 under part B of title VII of the Public Health
15 Service Act: *Provided*, That when the Department of
16 Health and Human Services administers or operates an
17 employee health program for any Federal department or
18 agency, payment for the full estimated cost shall be made
19 by way of reimbursement or in advance to this appropria-
20 tion: *Provided further*, That of the funds made available
21 under this heading, \$933,000 shall be available until ex-
22 pended for facilities renovations at the Gillis W. Long
23 Hansen’s Disease Center: *Provided further*, That in addi-
24 tion to fees authorized by section 427(b) of the Health
25 Care Quality Improvement Act of 1986, fees shall be col-

1 lected for the full disclosure of information under the Act
2 sufficient to recover the full costs of operating the Na-
3 tional Practitioner Data Bank, and shall remain available
4 until expended to carry out that Act**(35)**: *Provided fur-*
5 *ther, That of the amounts available for Area Health Edu-*
6 *cation Centers, \$25,000,000 shall be for section 746(i)(1)(A)*
7 *of the Health Professions Education Extension Amendments*
8 *of 1992, notwithstanding section 746(i)(1)(C)***(36)**: *Pro-*
9 *vided further, That of the funds made available under this*
10 *heading for program administration, \$3,000,000 shall be*
11 *made available for grants to cities under title XXVI, sec-*
12 *tions 2601–2608 of the Public Health Service Act***(37)**:
13 *Provided further, That no more than \$5,000,000 is avail-*
14 *able for carrying out the provisions of Public Law 102–*
15 *501.*

16 MEDICAL FACILITIES GUARANTEE AND LOAN FUND
17 FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

18 For carrying out subsections (d) and (e) of section
19 1602 of the Public Health Service Act, \$9,000,000, to-
20 gether with any amounts received by the Secretary in con-
21 nection with loans and loan guarantees under title VI of
22 the Public Health Service Act, to be available without fis-
23 cal year limitation for the payment of interest subsidies.
24 During the fiscal year, no commitments for direct loans
25 or loan guarantees shall be made.

1 HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

2 For the cost of guaranteed loans, such sums as may
3 be necessary to carry out the purpose of the program, as
4 authorized by title VII of the Public Health Service Act,
5 as amended: *Provided*, That such costs, including the cost
6 of modifying such loans, shall be as defined in section 502
7 of the Congressional Budget Act of 1974: *Provided fur-*
8 *ther*, That these funds are available to subsidize gross obli-
9 gations for the total loan principal any part of which is
10 to be guaranteed at not to exceed \$375,000,000. In addi-
11 tion, for administrative expenses to carry out the guaran-
12 teed loan program, \$2,946,000.

13 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

14 For payments from the Vaccine Injury Compensation
15 Program Trust Fund, such sums as may be necessary for
16 claims associated with vaccine-related injury or death with
17 respect to vaccines administered after September 30,
18 1988, pursuant to subtitle 2 of title XXI of the Public
19 Health Service Act, to remain available until expended:
20 *Provided*, That for necessary administrative expenses, not
21 to exceed \$3,000,000 shall be available from the Trust
22 Fund to the Secretary of Health and Human Services.

23 VACCINE INJURY COMPENSATION

24 For payment of claims resolved by the United States
25 Court of Federal Claims related to the administration of

1 vaccines before October 1, 1988, \$110,000,000, to remain
2 available until expended.

3 CENTERS FOR DISEASE CONTROL AND PREVENTION

4 DISEASE CONTROL, RESEARCH, AND TRAINING

5 To carry out titles II, III, VII, XI, XV, XVII, and
6 XIX of the Public Health Service Act, sections 101, 102,
7 103, 201, 202, and 203 of the Federal Mine Safety and
8 Health Act of 1977, and sections 20, 21, and 22 of the
9 Occupational Safety and Health Act of 1970; including
10 insurance of official motor vehicles in foreign countries;
11 and hire, maintenance, and operation of aircraft,
12 ~~(38)\$2,086,850,000~~ \$2,050,931,000, of which \$3,575,000
13 shall remain available until expended for equipment and
14 construction and renovation of facilities, and in addition,
15 such sums as may be derived from authorized user fees,
16 which shall be credited to this account: *Provided*, That for
17 fiscal year 1995 and subsequent fiscal years training of
18 private persons shall be made subject to reimbursement
19 or advances to this appropriation for not in excess of the
20 full cost of such training: *Provided further*, That funds ap-
21 propriated under this heading for fiscal year 1995 and
22 subsequent fiscal years shall be available for payment of
23 the costs of medical care, related expenses, and burial ex-
24 penses hereafter incurred by or on behalf of any person
25 who had participated in the study of untreated syphilis

1 initiated in Tuskegee, Alabama, in 1932, in such amounts
 2 and subject to such terms and conditions as prescribed
 3 by the Secretary of Health and Human Services and for
 4 payment, in such amounts and subject to such terms and
 5 conditions, of such costs and expenses hereafter incurred
 6 by or on behalf of such person's wife or offspring deter-
 7 mined by the Secretary to have suffered injury or disease
 8 from syphilis contracted from such person: *Provided fur-*
 9 *ther,* That for fiscal year 1995 and subsequent fiscal years
 10 amounts received by the National Center for Health Sta-
 11 tistics from reimbursements and interagency agreements
 12 and the sale of data tapes may be credited to this appro-
 13 priation and shall remain available until expended: *Pro-*
 14 *vided further,* That in addition to amounts provided here-
 15 in, up to ~~(39)\$27,862,000~~ \$28,873,000 shall be available
 16 from amounts available under section 241 of the Public
 17 Health Service Act, to carry out the National Center for
 18 Health Statistics surveys.

19 NATIONAL INSTITUTES OF HEALTH

20 NATIONAL CANCER INSTITUTE

21 For carrying out section 301 and title IV of the Pub-
 22 lic Health Service Act with respect to cancer,
 23 \$1,919,419,000.

24 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

25 For carrying out sections 301 and 1105 and title IV
 26 of the Public Health Service Act with respect to cardio-

1 vascular, lung, and blood diseases, and blood and blood
2 products, \$1,259,590,000.

3 NATIONAL INSTITUTE OF DENTAL RESEARCH

4 For carrying out section 301 and title IV of the Pub-
5 lic Health Service Act with respect to dental disease,
6 \$162,832,000.

7 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
8 KIDNEY DISEASES

9 For carrying out section 301 and title IV of the Pub-
10 lic Health Service Act with respect to diabetes and diges-
11 tive and kidney diseases, ~~(40)\$726,784,000~~ *\$728,784,000*.

12 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
13 AND STROKE

14 For carrying out section 301 and title IV of the Pub-
15 lic Health Service Act with respect to neurological dis-
16 orders and stroke, ~~(41)\$626,801,000~~ *\$628,801,000*.

17 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
18 DISEASES

19 For carrying out section 301 and title IV of the Pub-
20 lic Health Service Act with respect to allergy and infec-
21 tious diseases, \$536,416,000.

22 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

23 For carrying out section 301 and title IV of the Pub-
24 lic Health Service Act with respect to general medical
25 sciences, \$877,113,000.

1 NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN
2 DEVELOPMENT

3 For carrying out section 301 and title IV of the Pub-
4 lic Health Service Act with respect to child health and
5 human development, \$513,409,000.

6 NATIONAL EYE INSTITUTE

7 For carrying out section 301 and title IV of the Pub-
8 lic Health Service Act with respect to eye diseases and
9 visual disorders, ~~(42)\$290,335,000~~ \$292,022,000.

10 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
11 SCIENCES

12 For carrying out sections 301 and 311 and title IV
13 of the Public Health Service Act with respect to environ-
14 mental health sciences, ~~(43)\$266,400,000~~ \$267,955,000.

15 NATIONAL INSTITUTE ON AGING

16 For carrying out section 301 and title IV of the Pub-
17 lic Health Service Act with respect to aging,
18 ~~(44)\$431,198,000~~ \$433,198,000.

19 NATIONAL INSTITUTE OF ARTHRITIS AND
20 MUSCULOSKELETAL AND SKIN DISEASES

21 For carrying out section 301 and title IV of the
22 Public Health Service Act with respect to arthritis, and
23 musculoskeletal and skin diseases, ~~(45)\$227,021,000~~
24 \$229,021,000.

1 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
2 COMMUNICATION DISORDERS

3 For carrying out section 301 and title IV of the Pub-
4 lic Health Service Act with respect to deafness and
5 other communication disorders, ~~(46)\$166,155,000~~
6 *\$167,129,000.*

7 NATIONAL INSTITUTE OF NURSING RESEARCH

8 For carrying out section 301 and title IV of the Pub-
9 lic Health Service Act with respect to nursing research,
10 ~~(47)\$47,971,000~~ *\$48,326,000.*

11 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
12 ALCOHOLISM

13 For carrying out section 301 and title IV of the Pub-
14 lic Health Service Act with respect to alcohol abuse and
15 alcoholism, \$181,445,000.

16 NATIONAL INSTITUTE ON DRUG ABUSE

17 For carrying out section 301 and title IV of the Pub-
18 lic Health Service Act with respect to drug abuse,
19 \$290,280,000.

20 NATIONAL INSTITUTE OF MENTAL HEALTH

21 For carrying out section 301 and title IV of the Pub-
22 lic Health Service Act with respect to mental health,
23 ~~(48)\$542,050,000~~ *\$544,050,000.*

24 NATIONAL CENTER FOR RESEARCH RESOURCES

25 For carrying out section 301 and title IV of the Pub-
26 lic Health Service Act with respect to research resources

1 and general research support grants, \$294,877,000: *Pro-*
 2 *vided*, That none of these funds shall be used to pay recipi-
 3 ents of the general research support grants program any
 4 amount for indirect expenses in connection with such
 5 grants: *Provided further*, That \$20,000,000 shall be for
 6 extramural facilities construction grants.

7 NATIONAL CENTER FOR HUMAN GENOME RESEARCH

8 For carrying out section 301 and title IV of the Pub-
 9 lic Health Service Act with respect to human genome re-
 10 search, \$152,010,000.

11 JOHN E. FOGARTY INTERNATIONAL CENTER

12 For carrying out the activities at the John E.
 13 Fogarty International Center, ~~(49)\$15,193,000~~
 14 *\$13,209,000*.

15 NATIONAL LIBRARY OF MEDICINE

16 For carrying out section 301 and title IV of the Pub-
 17 lic Health Service Act with respect to health information
 18 communications, ~~(50)\$123,274,000~~ *\$127,274,000*.

19 OFFICE OF THE DIRECTOR

20 (INCLUDING TRANSFER OF FUNDS)

21 For carrying out the responsibilities of the Office of
 22 the Director, National Institutes of Health,
 23 ~~(51)\$219,474,000~~ *\$215,045,000*: *Provided*, That funding
 24 shall be available for the purchase of not to exceed five
 25 passenger motor vehicles for replacement only: *Provided*
 26 *further*, That the Director may direct up to 1 percent of

1 the total amount made available in this Act to all National
 2 Institutes of Health appropriations to activities the Direc-
 3 tor may so designate: *Provided further*, That no such ap-
 4 propriation shall be increased or decreased by more than
 5 1 percent by any such transfers and that the Congress
 6 is promptly notified of the transfer.

7 OFFICE OF AIDS RESEARCH

8 (INCLUDING TRANSFER OF FUNDS)

9 For carrying out part D of title XXIII of the Public
 10 Health Service Act, \$1,337,606,000: *Provided*, That the
 11 Director of the Office of AIDS Research shall transfer
 12 from this appropriation the amounts necessary to carry
 13 out section 2353(d) of the Act.

14 BUILDINGS AND FACILITIES

15 For the study of, construction of, and acquisition of
 16 equipment for, facilities of or used by the National Insti-
 17 tutes of Health, including the acquisition of real property,
 18 ~~(52)\$114,370,000~~ \$113,370,000, to remain available until
 19 expended.

20 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

21 ADMINISTRATION

22 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

23 For carrying out the Public Health Service Act with
 24 respect to substance abuse and mental health services, sec-
 25 tion 612 of Public Law 100-77, as amended, and the Pro-
 26 tection and Advocacy for Mentally Ill Individuals Act of

1 1986, ~~(53)\$2,166,148,000~~ \$2,164,179,000: *Provided,*
 2 That no portion of amounts appropriated for the programs
 3 of the Department of Health and Human Services shall
 4 be available for obligation pursuant to section 571 of the
 5 Public Health Service Act, other than an amount of
 6 \$3,750,000 from amounts appropriated to carry out sec-
 7 tion 510 of that Act.

8 ASSISTANT SECRETARY FOR HEALTH

9 OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH

10 (INCLUDING TRANSFER OF FUNDS)

11 For the expenses necessary for the Office of Assistant
 12 Secretary for Health and for carrying out titles III, XVII,
 13 XX and XXI of the Public Health Service Act,
 14 ~~(54)\$70,261,000~~ \$63,004,000, of which \$2,048,000 and 30
 15 full-time equivalent positions will be transferred from the
 16 National Vaccine Program Office to the Centers for Disease
 17 Control and Prevention for the expanded immunization
 18 program, and, in addition, amounts received from Free-
 19 dom of Information Act fees and reimbursable and inter-
 20 agency agreements shall be credited to this appropriation
 21 and shall remain available until expended~~(55):—Provided,~~
 22 ~~That \$2,000,000 of the amount appropriated in this para-~~
 23 ~~graph shall be transferred to the Food and Drug Adminis-~~
 24 ~~tration, Salaries and Expenses appropriation account.~~

1 RETIREMENT PAY AND MEDICAL BENEFITS FOR
2 COMMISSIONED OFFICERS

3 For retirement pay and medical benefits of Public
4 Health Service Commissioned Officers as authorized by
5 law, and for payments under the Retired Serviceman's
6 Family Protection Plan and Survivor Benefit Plan and for
7 medical care of dependents and retired personnel under
8 the Dependents' Medical Care Act (10 U.S.C. ch. 55), and
9 for payments pursuant to section 229(b) of the Social Se-
10 curity Act (42 U.S.C. 429(b)), such amounts as may be
11 required during the current fiscal year.

12 AGENCY FOR HEALTH CARE POLICY AND RESEARCH
13 HEALTH CARE POLICY AND RESEARCH

14 For carrying out titles III and IX of the Public
15 Health Service Act, and part A of title XI of the Social
16 Security Act, ~~(56)\$134,624,000~~ \$128,914,000, together
17 with not to exceed ~~(57)\$5,806,000~~ \$5,786,000 to be
18 transferred from the Federal Hospital Insurance and the
19 Federal Supplementary Medical Insurance Trust Funds,
20 as authorized by sections 1142 and 201(g) of the Social
21 Security Act; in addition, amounts received from Freedom
22 of Information Act fees, reimbursable and interagency
23 agreements, and the sale of data tapes shall be credited
24 to this appropriation and shall remain available until ex-
25 pended: *Provided*, That the amount made available pursu-

1 ant to section 926(b) of the Public Health Service Act
2 shall not exceed ~~(58)\$13,202,000~~ *\$31,504,000*.

3 HEALTH CARE FINANCING ADMINISTRATION

4 GRANTS TO STATES FOR MEDICAID

5 For carrying out, except as otherwise provided, titles
6 XI and XIX of the Social Security Act
7 ~~(59)\$62,637,775,000~~ *\$62,640,775,000*, to remain avail-
8 able until expended.

9 For making, after May 31, 1995, payments to States
10 under title XIX of the Social Security Act for the last
11 quarter of fiscal year 1995 for unanticipated costs, in-
12 curred for the current fiscal year, such sums as may be
13 necessary.

14 For making payments to States under title XIX of
15 the Social Security Act for the first quarter of fiscal year
16 1996, *\$27,047,717,000*, to remain available until ex-
17 pended.

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

22 PAYMENTS TO HEALTH CARE TRUST FUNDS

23 For payment to the Federal Hospital Insurance and
24 the Federal Supplementary Medical Insurance Trust
25 Funds, as provided under sections 217(g) and 1844 of the
26 Social Security Act, sections 103(c) and 111(d) of the So-

1 cial Security Amendments of 1965, section 278(d) of Pub-
 2 lic Law 97-248, and for administrative expenses incurred
 3 pursuant to section 201(g) of the Social Security Act,
 4 \$37,546,758,000.

5 PROGRAM MANAGEMENT

6 For carrying out, except as otherwise provided, titles
 7 XI, XVIII, and XIX of the Social Security Act, and title
 8 XIII of the Public Health Service Act, the Clinical Labora-
 9 tory Improvement Amendments of 1988, section 4360 of
 10 Public Law 101-508, and section 4005(e) of Public Law
 11 100-203, not to exceed ~~(60)\$2,183,985,000~~
 12 \$2,207,237,000, together with all funds collected in accord-
 13 ance with section 353 of the Public Health Service Act,
 14 the latter funds to remain available until expended; the
 15 ~~(61)\$2,183,985,000~~ \$2,207,237,000 to be transferred to
 16 this appropriation as authorized by section 201(g) of the
 17 Social Security Act, from the Federal Hospital Insurance
 18 and the Federal Supplementary Medical Insurance Trust
 19 Funds: *Provided*, That all funds derived in accordance
 20 with 31 U.S.C. 9701 from organizations established under
 21 title XIII of the Public Health Service Act are to be cred-
 22 ited to this appropriation.

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, \$15,000,000 to-

1 gether with any amounts received by the Secretary in con-
2 nection with loans and loan guarantees under title XIII
3 of the Public Health Service Act, to be available without
4 fiscal year limitation for the payment of outstanding obli-
5 gations. During fiscal year 1995, no commitments for di-
6 rect loans or loan guarantees shall be made.

7 SOCIAL SECURITY ADMINISTRATION

8 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

9 For payment to the Federal Old-Age and Survivors
10 Insurance and the Federal Disability Insurance Trust
11 Funds, as provided under sections 201(m), 228(g), and
12 1131(b)(2) of the Social Security Act, \$25,094,000.

13 SPECIAL BENEFITS FOR DISABLED COAL MINERS

14 For carrying out title IV of the Federal Mine Safety
15 and Health Act of 1977, \$527,874,000, to remain avail-
16 able until expended.

17 For making, after July 31 of the current fiscal year,
18 benefit payments to individuals under title IV of the Fed-
19 eral Mine Safety and Health Act of 1977, for costs in-
20 curred in the current fiscal year, such amounts as may
21 be necessary.

22 For making benefit payments under title IV of the
23 Federal Mine Safety and Health Act of 1977 for the first
24 quarter of fiscal year 1996, \$180,000,000, to remain
25 available until expended.

1 SUPPLEMENTAL SECURITY INCOME PROGRAM

2 For carrying out titles XI and XVI of the Social Se-
3 curity Act, section 401 of Public Law 92-603, section 212
4 of Public Law 93-66, as amended, and section 405 of
5 Public Law 95-216, including payment to the Social Secu-
6 rity trust funds for administrative expenses incurred pur-
7 suant to section 201(g)(1) of the Social Security Act,
8 ~~(62)\$21,237,101,000~~ \$21,192,101,000, to remain avail-
9 able until expended: *Provided*, That any portion of the
10 funds provided to a State in the current fiscal year and
11 not obligated by the State during that year shall be re-
12 turned to the Treasury.

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

17 For carrying out title XVI of the Social Security Act
18 for the first quarter of fiscal year 1996, \$7,060,000,000,
19 to remain available until expended.

20 LIMITATION ON ADMINISTRATIVE EXPENSES

21 For necessary expenses, not more than
22 ~~(63)\$5,127,785,000~~ \$5,157,011,000 may be expended, as
23 authorized by section 201(g)(1) of the Social Security Act
24 or as necessary to carry out sections 9704 and 9706 of
25 the Internal Revenue Code of 1986 as such sections were
26 in effect on January 1, 1993, from any one or all of the

1 trust funds referred to therein: *Provided*, That reimburse-
2 ment to the Trust Funds under this heading for adminis-
3 trative expenses to carry out sections 9704 and 9706 of
4 the Internal Revenue Code of 1986 shall be made, with
5 interest, not later than September 30, 1996.

6 In addition to funding already available under this
7 heading, and subject to the same terms and conditions,
8 ~~(64)\$352,000,000~~ \$320,000,000, for disability caseload
9 processing.

10 In addition to funding already available under this
11 heading, and subject to the same terms and conditions,
12 ~~(65)\$130,000,000~~ \$64,000,000, which shall remain avail-
13 able until expended, to invest in a state-of-the-art comput-
14 ing network, including related equipment and administra-
15 tive expenses associated solely with this network, for the
16 Social Security Administration and the State Disability
17 Determination Services, may be expended from any or all
18 of the trust funds as authorized by section 201(g)(1) of
19 the Social Security Act.

20 ADMINISTRATION FOR CHILDREN AND FAMILIES

21 FAMILY SUPPORT PAYMENTS TO STATES

22 For making payments to States or other non-Federal
23 entities, except as otherwise provided, under titles I, IV-
24 A (other than section 402(g)(6)) and D, X, XI, XIV, and
25 XVI of the Social Security Act, and the Act of July 5,

1 1960 (24 U.S.C. ch. 9), \$12,761,788,000, to remain avail-
2 able until expended.

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–A and D, X, XI, XIV, and XVI of the Social
6 Security Act, for the last three months of the current year
7 for unanticipated costs, incurred for the current fiscal
8 year, such sums as may be necessary.

9 For making payments to States or other non-Federal
10 entities under titles I, IV–A (other than section 402(g)(6))
11 and D, X, XI, XIV, and XVI of the Social Security Act
12 and the Act of July 5, 1960 (24 U.S.C. ch. 9) for the
13 first quarter of fiscal year 1996, \$4,400,000,000, to re-
14 main available until expended.

15 **(66)** *The Secretary shall provide payments under ti-*
16 *ties IV–A and XIX of the Social Security Act to carry out*
17 *a demonstration project for a qualified program in accord-*
18 *ance with this section which shall take effect on January*
19 *1, 1995. For each calendar quarter in which there is a*
20 *qualified program as defined below, the Secretary shall pay*
21 *to the State for the purpose of transmittal to the operator*
22 *of the qualified program, for no more than 20 calendar*
23 *quarters, an amount equal to the aggregate amount that*
24 *would otherwise have been payable to the State with respect*
25 *to the participants in the program for such a calendar*

1 *quarter, in the absence of the program, for cash assistance*
 2 *and child care under part A of title IV of the Social Secu-*
 3 *rity Act, for medical assistance under title XIX of such Act,*
 4 *and for administrative expenses related to such assistance.*
 5 *The term "qualified program" means a program operated*
 6 *by the New Hope Project, Inc., which assists low-income*
 7 *residents of Milwaukee, Wisconsin, move from welfare to*
 8 *work, in accordance with an application to be prepared by*
 9 *the operator to the qualified program, transmitted by the*
 10 *State to the Secretary, and defined by and approved by the*
 11 *Secretary. The application shall provide for evaluation of*
 12 *the demonstration project; funds provided herein may not*
 13 *be used for said evaluation.*

14 JOB OPPORTUNITIES AND BASIC SKILLS

15 For carrying out aid to families with dependent chil-
 16 dren work programs, as authorized by part F of title IV
 17 of the Social Security Act, \$1,300,000,000.

18 LOW INCOME HOME ENERGY ASSISTANCE

19 (INCLUDING RESCISSION)

20 Of the funds made available beginning on October 1,
 21 1994 under this heading in Public Law 103-112,
 22 ~~(67)\$250,000,000~~ \$89,592,000 are hereby rescinded.

23 The funds remaining after said rescission shall be
 24 available for obligation through September 30, 1995.

25 For making payments under title XXVI of the Omni-
 26 bus Budget Reconciliation Act of 1981,

1 ~~(68)\$1,225,000,000~~ \$1,475,000,000, to be available for
2 obligation in the period October 1, 1995 through Septem-
3 ber 30, 1996.

4 For making payments under title XXVI of the Omni-
5 bus Budget Reconciliation Act of 1981, an additional
6 \$600,000,000: *Provided*, That all of the funds available
7 under this paragraph are hereby designated by Congress
8 to be emergency requirements pursuant to section
9 251(b)(2)(D) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985: *Provided further*, That these
11 funds shall be made available only after submission to
12 Congress of a formal budget request by the President that
13 includes designation of the entire amount of the request
14 as an emergency requirement as defined in the Balanced
15 Budget and Emergency Deficit Control Act of 1985.

16 REFUGEE AND ENTRANT ASSISTANCE

17 For making payments for refugee and entrant assist-
18 ance activities authorized by title IV of the Immigration
19 and Nationality Act and section 501 of the Refugee Edu-
20 cation Assistance Act of 1980 (Public Law 96-422),
21 \$399,779,000: *Provided*, That funds appropriated pursu-
22 ant to section 414(a) of the Immigration and Nationality
23 Act under Public Law 102-394 for fiscal year 1993 shall
24 be available for the costs of assistance provided and other
25 activities conducted in such year and in fiscal years 1994
26 and 1995.

1 *alien” contained in section 204(j)(4) of the Immigration*
2 *Reform and Control Act of 1986 is amended by inserting*
3 *before the period at the end “, except that the five-year limi-*
4 *tation shall not apply for the purposes of providing public*
5 *information and outreach activities regarding naturaliza-*
6 *tion and citizenship; and English language and civics in-*
7 *struction to any adult eligible legalized alien who has not*
8 *met the requirements of section 312 of the Immigration and*
9 *Nationality Act for purposes of becoming naturalized as a*
10 *citizen of the United States”*: *Provided further, That each*
11 *State may designate the appropriate agency or agencies to*
12 *administer funds under this heading: Provided further,*
13 *That section 204(b)(4) of the Immigration Reform and Con-*
14 *trol Act of 1986 is amended by striking the fourth sentence*
15 *and inserting the following: “Funds made available to a*
16 *State pursuant to the preceding sentence of this paragraph*
17 *shall be utilized by the State to reimburse all allowable costs*
18 *within 90 days after a State has received a reallocation*
19 *of funds from the Secretary, but in no event later than July*
20 *31, 1995.”*.

21 COMMUNITY SERVICES BLOCK GRANT

22 For making payments under the Community Services
23 Block Grant Act, section 408 of Public Law 99–425, and
24 the Stewart B. McKinney Homeless Assistance Act,
25 ~~(70)\$465,714,000~~ \$476,219,000, of which \$12,000,000
26 shall be for carrying out the National Youth Sports Pro-

1 *gram: Provided, That payments from such amount to the*
2 *grantee and subgrantees administering the National Youth*
3 *Sports Program may not exceed the aggregate amount con-*
4 *tributed in cash or in kind by the grantee and subgrantees:*
5 *Provided further, That amounts in excess of \$9,400,000 for*
6 *such amount may not be made available to the grantee and*
7 *subgrantees administering the National Youth Sports Pro-*
8 *gram unless the grantee agrees to provide contributions in*
9 *cash over and above the preceding year's cash contribution*
10 *to such program in an amount that equals 29 percent of*
11 *such excess amount.*

12 CHILD CARE AND DEVELOPMENT BLOCK GRANT

13 For carrying out sections 658A through 658R of the
14 Omnibus Budget Reconciliation Act of 1981 (The Child
15 Care and Development Block Grant Act of 1990),
16 \$934,656,000, which shall be available for obligation
17 under the same statutory terms and conditions applicable
18 in the prior fiscal year.

19 SOCIAL SERVICES BLOCK GRANT

20 For making grants to States pursuant to section
21 2002 of the Social Security Act, \$2,800,000,000.

22 CHILDREN AND FAMILIES SERVICES PROGRAMS

23 For carrying out, except as otherwise provided, the
24 Runaway and Homeless Youth Act, the Developmental
25 Disabilities Assistance and Bill of Rights Act, the State
26 Dependent Care Development Grants Act, the Head Start

1 Act, the Child Development Associate Scholarship Assist-
2 ance Act of 1985, the Child Abuse Prevention and Treat-
3 ment Act, chapters 1 and 2 of subtitle B of title III of
4 the Anti-Drug Abuse Act of 1988, the Family Violence
5 Prevention and Services Act, the Native American Pro-
6 grams Act of 1974, title II of Public Law 95–266 (adop-
7 tion opportunities), the Temporary Child Care for Chil-
8 dren with Disabilities and Crisis Nurseries Act of 1986,
9 the Abandoned Infants Assistance Act of 1988, subtitle
10 F of title VII of the Stewart B. McKinney Homeless As-
11 sistance Act, and part B of title IV and section 1110 of
12 the Social Security Act, and for necessary administrative
13 expenses to carry out said Acts and titles I, IV, X, XI,
14 XIV, XVI, and XX of the Social Security Act, the Act
15 of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget
16 Reconciliation Act of 1981, section 204 of the Immigra-
17 tion Reform and Control Act of 1986, title IV of the Immi-
18 gration and Nationality Act, section 501 of the Refugee
19 Education Assistance Act of 1980, Public Law 100–77,
20 and section 126 and titles IV and V of Public Law 100–
21 485, ~~(71) \$4,408,775,000~~ *\$4,415,514,000*.

22 FAMILY PRESERVATION AND SUPPORT

23 For carrying out section 430 of the Social Security
24 Act, \$150,000,000.

1 PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION
2 ASSISTANCE

3 For making payments to States or other non-Federal
4 entities, under title IV–E of the Social Security Act,
5 ~~(72)\$3,440,871,000~~ *\$3,597,371,000*.

6 ADMINISTRATION ON AGING

7 AGING SERVICES PROGRAMS

8 For carrying out, to the extent not otherwise pro-
9 vided, the Older Americans Act of 1965, as amended, and
10 section 10404 of Public Law 101–239 (volunteer senior
11 aides demonstration), ~~(73)\$869,823,000~~ *\$873,662,000*.

12 OFFICE OF THE SECRETARY

13 GENERAL DEPARTMENTAL MANAGEMENT

14 For necessary expenses, not otherwise provided, for
15 general departmental management, including hire of six
16 medium sedans, ~~(74)\$89,500,000~~ *\$88,774,000*, together
17 with \$31,008,000, to be transferred and expended as au-
18 thorized by section 201(g)(1) of the Social Security Act
19 from any one or all of the trust funds referred to therein.

20 OFFICE OF INSPECTOR GENERAL

21 For expenses necessary for the Office of Inspector
22 General in carrying out the provisions of the Inspector
23 General Act of 1978, as amended, \$63,585,000, together
24 with not to exceed \$37,060,000, to be transferred and ex-
25 pended as authorized by section 201(g)(1) of the Social

1 Security Act from any one or all of the trust funds re-
2 ferred to therein.

3 OFFICE FOR CIVIL RIGHTS

4 For expenses necessary for the Office for Civil
5 Rights, \$18,409,000 together with not to exceed
6 \$3,874,000, to be transferred and expended as authorized
7 by section 201(g)(1) of the Social Security Act from any
8 one or all of the trust funds referred to therein~~(75)~~, *to-*
9 *gether with any funds, to remain available until expended,*
10 *that represent the equitable share from the forfeiture of*
11 *property in investigations in which the Office of Inspector*
12 *General participated and which are transferred to the Office*
13 *of the Inspector General by the Department of Justice or*
14 *the Department of the Treasury.*

15 POLICY RESEARCH

16 For carrying out, to the extent not otherwise pro-
17 vided, research studies under section 1110 of the Social
18 Security Act, ~~(76)\$14,632,000~~ *\$10,741,000*.

19 GENERAL PROVISIONS

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

24 SEC. 202. The Secretary shall make available through
25 assignment not more than 60 employees of the Public
26 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 1911(d) ~~(77)~~and section
8 1503 of the National Institutes of Health Revitalization
9 Act of 1993, Public Law 103-43.

10 ~~(78)~~SEC. 204. None of the funds made available by
11 this Act may be used to require States as a condition of
12 receiving funding under the Child Abuse Prevention and
13 Treatment Act to restrict, condition, or otherwise qualify
14 a State's authority to determine (i) whether and under
15 what circumstances a parent's decision to provide non-
16 medical health care for a child may constitute negligent
17 treatment or maltreatment, and (ii) the circumstances
18 under which it is appropriate to order medical treatment
19 for a child who is receiving non-medical health care.

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*
23 *of a determination that the State is not in compliance with*
24 *section 1340.2(d)(2)(ii) of title 45 of the Code of Federal*
25 *Regulations. This provision expires upon the date of enact-*

1 *ment of the reauthorization of the Child Abuse Prevention*
2 *and Treatment Act or upon September 30, 1995, whichever*
3 *occurs first.*

4 SEC. 205. (a) Of the budgetary resources available
5 to the Department of Health and Human Services (exclud-
6 ing the Food and Drug Administration and the Indian
7 Health Service) during fiscal year 1995, \$37,125,000 are
8 permanently canceled.

9 (b) The Secretary of Health and Human Services
10 shall allocate the amount of budgetary resources canceled
11 among the Department's accounts (excluding the Food
12 and Drug Administration and the Indian Health Service)
13 available for procurement and procurement-related ex-
14 penses. Amounts available for procurement and procure-
15 ment-related expenses in each such account shall be re-
16 duced by the amount allocated to such account.

17 (c) For the purposes of this section, the definition
18 of "procurement" includes all stages of the process of ac-
19 quiring property or services, beginning with the process
20 of determining a need for a product or services and ending
21 with contract completion and closeout, as specified in 41
22 U.S.C. 403(2).

23 ~~(79)~~ SEC. 206. *None of the funds appropriated in this*
24 *title for the National Institutes of Health and the Substance*
25 *Abuse and Mental Health Services Administration shall be*

1 *used to pay the salary of an individual, through a grant*
2 *or other extramural mechanism, at a rate in excess of*
3 *\$125,000 per year.*

4 **(80)***SEC. 207. (a) Of the budgetary resources avail-*
5 *able to the Department of Health and Human Services for*
6 *space rental charges (excluding Food and Drug Administra-*
7 *tion and the Indian Health Service) during fiscal year*
8 *1995, \$4,505,000 are permanently canceled.*

9 *(b) The Secretary of Health and Human Services shall*
10 *allocate the amount of budgetary resources canceled among*
11 *the Department's accounts (excluding the Food and Drug*
12 *Administration and the Indian Health Service) available*
13 *for space rental charges. Amounts available for space rental*
14 *charges in each such account shall be reduced by the amount*
15 *allocated to such account.*

16 **(81)***SEC. 208. Taps and other assessments made by*
17 *any office located in the Department of Health and Human*
18 *Services shall be treated as a reprogramming of funds and*
19 *shall not be available for obligation or expenditure except*
20 *in compliance with the Committee reprogramming proce-*
21 *dures.*

22 **(82)***SEC. 209. None of the funds made available by*
23 *this Act shall be obligated or expended for storage or dis-*
24 *tribution of publicly-purchased pediatric vaccine through a*
25 *warehouse and distribution facility operated by the General*

1 *Services Administration until such time as the Secretary*
2 *of Health and Human Services receives written approval*
3 *by the Appropriations Committees of both the House and*
4 *Senate: Provided, That such approval shall be contingent*
5 *upon the following requirements:*

6 (1) *All aspects of the ordering, storage, packag-*
7 *ing and distribution system are fully developed, tested*
8 *and validated in accordance with the requirements*
9 *imposed on commercial manufacturers and distribu-*
10 *tors.*

11 (2) *The Commissioner of FDA has conducted a*
12 *complete review of all aspects of the system, has re-*
13 *viewed and verified documentation of testing and val-*
14 *idation procedures, and has provided documentation*
15 *to the Committees of both the House and the Senate*
16 *that all licensing and performance standards required*
17 *of commercial distributors have been met by the Gen-*
18 *eral Services Administration system.*

19 (3) *The Secretary has provided documentation to*
20 *the Committees of both Houses that the cost of the*
21 *General Services Administration system is lower than*
22 *the cost of private sector bids.*

23 *SEC. 210. VISAS FOR OFFICIALS OF TAIWAN.—Section*
24 *4(b)(6) of the Taiwan Relations Act (22 U.S.C. 3302(b)(6))*
25 *is amended—*

1 (1) by inserting “(A)” immediately after “(6)”;
2 and

3 (2) by adding at the end the following:

4 “(B) Whenever the president of Taiwan or any
5 other high-level official of Taiwan shall apply to visit
6 the United States for the purposes of discussions with
7 United States Federal or State Government officials
8 concerning:

9 “(i) Trade or business with Taiwan that
10 will reduce the United States-Taiwan trade defi-
11 cit;

12 “(ii) Prevention of nuclear proliferation;

13 “(iii) Threats to the national security of the
14 United State;

15 “(iv) The protection of the global environ-
16 ment;

17 “(v) The protection of endangered species;
18 or

19 “(vi) Regional humanitarian disasters.

20 The official shall be admitted to the United States,
21 unless the official is otherwise excludable under the
22 immigration laws of the United States.”.

23 **(83)** SEC. 211. (a) Of the funds appropriated or other-
24 wise made available for the Department of Health and
25 Human Services General Departmental Management for

1 *fiscal year 1995, the Secretary of Health and Human Serv-*
2 *ices shall transfer to the Office of the Inspector General such*
3 *sums as may be necessary for any expenses with respect*
4 *to the provision of security protection for the Secretary of*
5 *Health and Human Services.*

6 *(b) The Comptroller General of the United States shall*
7 *conduct a review on the need of personal security protection*
8 *for all cabinet and subcabinet officials in the Federal Gov-*
9 *ernment, and shall not later than April 1, 1995, prepare*
10 *and submit a report to the Senate and House Committees*
11 *on Appropriations of the findings of the Comptroller.*

12 **(84)SEC. 212. DIRECTION TO THE SECRETARY OF**
13 **HEALTH AND HUMAN SERVICES REGARDING ACTION**
14 **ON A REQUEST FOR CERTAIN WAIVERS UNDER THE**
15 **AFDC PROGRAM.**

16 *In the event the Secretary of Health and Human Serv-*
17 *ices (hereafter referred to in this section as the “Secretary”)*
18 *fails to approve the application for waivers to conduct a*
19 *demonstration project, known as JOBS Plus, under section*
20 *1115 of the Social Security Act submitted by the Oregon*
21 *Department of Human Resources on October 28, 1993,*
22 *(hereafter referred to in this section as the “application”)*
23 *by the date of the enactment of this Act, notwithstanding*
24 *the Secretary’s authority to approve the application under*
25 *such section, the application shall be deemed approved.*

1 This title may be cited as the “Department of Health
2 and Human Services Appropriations Act, 1995”.

3 TITLE III—DEPARTMENT OF EDUCATION

4 EDUCATION REFORM

5 For carrying out activities authorized by titles II
6 ~~(85) and III, III, and IV~~ of the Goals 2000: Educate
7 America Act and titles II, III, and IV of the School-to-
8 Work Opportunities Act, \$528,400,000 of which
9 \$503,670,000 shall become available on July 1, 1995, and
10 remain available through September 30, 1996.

11 EDUCATION FOR THE DISADVANTAGED

12 For carrying out the activities authorized by title I
13 of the Elementary and Secondary Education Act of 1965,
14 as amended by the Improving America’s Schools Act as
15 ~~(86) passed the House of Representatives on March 24,~~
16 ~~1994 passed the Senate on August 2, 1994,~~ and by section
17 418A of the Higher Education Act, ~~(87)\$7,245,655,000~~
18 ~~\$7,233,411,000,~~ of which ~~(88)\$7,212,093,000~~
19 ~~\$7,214,849,000~~ shall become available on July 1, 1995 and
20 shall remain available through September 30, 1996: *Pro-*
21 *vided,* That \$6,698,356,000 shall be available for grants
22 to local education agencies, ~~(89) not less than \$41,434,000~~
23 shall be available for capital expenses, \$102,024,000 shall
24 be available for the Even Start program, \$305,475,000
25 shall be available for title I migrant education activities,
26 ~~(90)\$37,244,000 not less than \$40,000,000~~ shall be avail-

1 able for title I delinquent and high-risk youth education
 2 activities, ~~(91)~~ *no more than* \$27,560,000 shall be for pro-
 3 gram improvement activities, ~~(92)~~ ~~\$15,000,000~~ shall be
 4 for demonstration grants, and \$8,270,000 shall be for
 5 evaluation.

6 IMPACT AID

7 For carrying out programs of financial assistance to
 8 federally affected schools authorized by the Improving
 9 America's Schools Act as ~~(93)~~ passed the House of Rep-
 10 resentatives on March 24, 1994 *passed the Senate on Au-*
 11 *gust 2, 1994,* ~~(94)~~ ~~\$728,000,000~~ *\$666,880,000*, of which
 12 \$40,000,000, to remain available until expended, shall be
 13 for payments for heavily impacted districts under section
 14 ~~(95)~~ ~~8004(f)~~ *9004(f)*.

15 SCHOOL IMPROVEMENT PROGRAMS

16 For carrying out school improvement activities au-
 17 thorized by titles II, ~~(96)~~ ~~III, IV, and V~~ *IV, V, VII, VIII,*
 18 *IX, and XV* of the Elementary and Secondary Education
 19 Act of 1965, as amended by the Improving America's
 20 Schools Act as ~~(97)~~ passed the House of Representatives
 21 on March 24, 1994 *passed the Senate on August 2, 1994;*
 22 the Stewart B. McKinney Homeless Assistance Act; the
 23 Civil Rights Act of 1964; and title V of the Higher Edu-
 24 cation Act; ~~(98)~~ ~~\$1,424,513,000~~ *\$1,570,201,000*, of which
 25 ~~(99)~~ ~~\$1,158,695,000~~ *\$1,264,849,000* shall become avail-
 26 able on July 1, 1995, and remain available through Sep-

1 tember 30, 1996: *Provided*, That ~~(100)~~\$5,899,000 shall
 2 be for law related education under section 3702
 3 \$100,000,000 shall be for education infrastructure under
 4 title XV, \$5,899,000 shall be for law related education under
 5 section 8252, \$37,393,000 shall be for dropout assistance
 6 under part B of title V, \$4,185,000 shall be for Ellender
 7 Fellowships under part E of title VIII, \$15,000,000 shall
 8 be for education for Native Hawaiians under part C of title
 9 IX, \$13,000,000 shall be for part A of title VIII, and
 10 \$10,912,000 shall be for foreign language assistance under
 11 part B of title VII.

12 BILINGUAL AND IMMIGRANT EDUCATION

13 For carrying out, to the extent not otherwise pro-
 14 vided, bilingual and immigrant education activities author-
 15 ized by ~~(101)~~title VII titles VII and IX of the Elementary
 16 and Secondary Education Act as amended by the Improv-
 17 ing America's Schools Act, as ~~(102)~~passed the House of
 18 Representatives on March 24, 1994 passed the Senate on
 19 August 2, 1994 and by title IV of the Carl D. Perkins Vo-
 20 cational and Applied Technology Education Act,
 21 ~~(103)~~\$247,572,000 \$238,082,000, of which \$25,180,000
 22 shall be for training activities under ~~(104)~~part C subpart
 23 3 of part A of title VII, and \$50,000,000 shall be for the
 24 immigrant education program ~~(105)~~under part B of title
 25 IX.

1 SPECIAL EDUCATION

2 For carrying out the Individuals with Disabilities
 3 Education Act, ~~(106)\$3,106,634,000~~ *\$3,299,459,000*, of
 4 which ~~(107)\$2,858,973,000~~ *\$2,753,000,000* shall become
 5 available for obligation on July 1, 1995, and shall remain
 6 available through September 30, 1996~~(108)~~, *of which*
 7 *\$292,125,000 for section 686 shall become available for obli-*
 8 *gation on September 30, 1995, and shall remain available*
 9 *through September 30, 1996.*

10 REHABILITATION SERVICES AND DISABILITY RESEARCH

11 For carrying out, to the extent not otherwise pro-
 12 vided, the Rehabilitation Act of 1973, the Technology-Re-
 13 lated Assistance for Individuals with Disabilities Act, and
 14 the Helen Keller National Center Act, as amended,
 15 ~~(109)\$2,355,600,000~~ *\$2,413,675,000.*

16 SPECIAL INSTITUTIONS FOR PERSONS WITH
17 DISABILITIES

18 AMERICAN PRINTING HOUSE FOR THE BLIND

19 For carrying out the Act of March 3, 1879, as
 20 amended (20 U.S.C. 101 et seq.), ~~(110)\$6,406,000~~
 21 *\$6,680,000.*

22 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

23 For the National Technical Institute for the Deaf
 24 under titles I and II of the Education of the Deaf Act
 25 of 1986 (20 U.S.C. 4301 et seq.), ~~(111)\$41,462,000~~
 26 *\$43,191,000, of which (112)\$333,000 for the endowment*

1 program as authorized under section 207 and not to ex-
 2 ceed \$192,000 for construction shall remain available until
 3 ~~expended~~ \$336,000 shall be for the endowment program as
 4 authorized under section 207 and shall be available until
 5 expended and \$150,000 shall be for construction and shall
 6 be available until expended.

7 GALLAUDET UNIVERSITY

8 For the Kendall Demonstration Elementary School,
 9 the Model Secondary School for the Deaf, and the partial
 10 support of Gallaudet University under titles I and II of
 11 the Education of the Deaf Act of 1986 (20 U.S.C. 4301
 12 et seq.), ~~(113)\$76,742,000~~ \$80,030,000, of which
 13 ~~(114)\$991,000~~ \$1,000,000 shall be for the endowment
 14 program as authorized under section 207 and shall be
 15 available until expended.

16 VOCATIONAL AND ADULT EDUCATION

17 For carrying out, to the extent not otherwise pro-
 18 vided, the Carl D. Perkins Vocational and Applied Tech-
 19 nology Education Act, the Adult Education Act, ~~(115)~~the
 20 National Literacy Act of 1991, and the Stewart B. McKin-
 21 ney Homeless Assistance Act, ~~(116)\$1,456,383,000~~, of
 22 which ~~\$1,453,464,000~~ \$1,475,736,000, of which
 23 \$1,472,817,000 shall become available on July 1, 1995 and
 24 shall remain available through September 30, 1996: Pro-
 25 vided, That of the amounts made available under the Carl
 26 D. Perkins Vocational and Applied Technology Education

1 Act, \$400,000 of the amount available for Tech-Prep shall
 2 be for evaluation of the program and ~~(117)\$25,767,000~~
 3 ~~\$37,096,000~~ shall be for national programs under title IV,
 4 including \$7,851,000 for research, of which \$6,000,000
 5 shall be for the National Center for Research on Voca-
 6 tional Education; ~~(118)\$13,000,000~~ ~~\$23,245,000~~ for dem-
 7 onstrations, notwithstanding section 411(b); and
 8 ~~(119)\$4,916,000~~ ~~\$6,000,000~~ for data systems: *Provided*
 9 *further*, That of the amounts made available under the
 10 Adult Education Act, ~~(120)\$5,400,000~~ ~~\$3,900,000~~ shall
 11 be for national programs under ~~(121)sections 382 and~~
 12 ~~383~~ *section 383*, and \$4,869,000 shall be for the National
 13 Institute for Literacy under section 384.

14 STUDENT FINANCIAL ASSISTANCE

15 For carrying out subparts 1, 3, and 4 of part A, and
 16 parts C, E, and H of title IV of the Higher Education
 17 Act of 1965, as amended, including, notwithstanding sec-
 18 tion 401(a)(1), not to exceed 3,930,000 Pell Grant recipi-
 19 ents in award year 1994–1995, ~~(122)\$7,825,417,000~~
 20 ~~\$7,685,524,000~~, which shall remain available through Sep-
 21 tember 30, 1996, and of which ~~(123)\$54,322,000~~
 22 ~~\$72,429,000~~ shall be for State Student Incentive Grants
 23 under subpart 4 of part A.

24 The maximum Pell Grant for which a student shall
 25 be eligible during award year 1995–1996 shall be \$2,340:
 26 *Provided*, That notwithstanding section 401(g) of the Act,

1 as amended, if the Secretary determines, prior to publica-
2 tion of the payment schedule for award year 1995–1996,
3 that the \$6,247,180,000 included within this appropria-
4 tion for Pell Grant awards for award year 1995–1996, and
5 any funds available from the FY 1994 appropriation for
6 Pell Grant awards, are insufficient to satisfy fully all such
7 awards for which students are eligible, as calculated under
8 section 401(b) of the Act, the amount paid for each such
9 award shall be reduced by either a fixed or variable per-
10 centage, or by a fixed dollar amount, as determined in ac-
11 cordance with a schedule of reductions established by the
12 Secretary for this purpose.

13 FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

14 For Federal administrative expenses to carry out
15 guaranteed student loans authorized by title IV, part B,
16 of the Higher Education Act, as amended, \$62,191,000.

17 **(124)** *FEDERAL DIRECT STUDENT LOAN PROGRAM*

18 *ACCOUNT*

19 *For the cost of direct loans authorized by title IV, part*
20 *D, of the Higher Education Act, as amended, such sums*
21 *as may be necessary to carry out the purposes of the pro-*
22 *gram, including such sums as may be derived from negative*
23 *subsidy receipts: Provided, That such costs, including costs*
24 *of modifying such loans, shall be as defined in section 502*
25 *of the Congressional Budget Act of 1974.*

HIGHER EDUCATION

1
 2 For carrying out, to the extent not otherwise pro-
 3 vided, titles I, ~~(125)II, without regard to section 241(d),~~
 4 III, IV, including chapter 2 of subpart 2 of part A, V,
 5 VI, VII, IX, ~~(126)part A, and subpart 1 of part B of~~
 6 ~~title X, VIII, IX, part A, subpart 1 of part B, and part~~
 7 ~~D of title X, and XI, without regard to section 1151,~~
 8 ~~(127)and section 1521 as amended by Public Law 103-~~
 9 ~~239 to be administered by the Secretary of Education,~~
 10 ~~(128)and XV of the Higher Education Act of 1965, as~~
 11 amended; the Mutual Educational and Cultural Exchange
 12 Act of 1961; ~~(129)title VI, including part C, and title~~
 13 ~~VI of the Excellence in Mathematics, Science and Engi-~~
 14 ~~neering Education Act of 1990; (130)and Public Law~~
 15 ~~102-423; \$954,686,000, of which \$8,248,000~~
 16 ~~\$946,703,000, of which \$7,498,000 for endowment activities~~
 17 under section 331 of part C of title III and \$17,512,000
 18 for interest subsidies under title VII of the Higher Edu-
 19 cation Act, as amended, ~~(131)and \$4,000,000 for Public~~
 20 ~~Law 102-423 shall remain available until expended (132)~~
 21 ~~and \$1,500,000 of the amount provided herein for title~~
 22 ~~III shall be available for an evaluation of the title III pro-~~
 23 ~~grams.~~

HOWARD UNIVERSITY

24
 25 For partial support of Howard University (20 U.S.C.
 26 121 et seq.), ~~(133)\$206,463,000 \$192,896,000, of which~~

1 ~~(134)\$7,910,000~~ *\$3,530,000*, to remain available until ex-
 2 pended, shall be for a matching endowment grant to be
 3 administered in accordance with the Howard University
 4 Endowment Act (Public Law 98-480) ~~(135)and~~
 5 ~~\$6,000,000, to remain available until expended, shall be~~
 6 ~~for construction.~~

7 HIGHER EDUCATION FACILITIES LOANS

8 The Secretary is hereby authorized to make such ex-
 9 penditures, within the limits of funds available under this
 10 heading and in accord with law, and to make such con-
 11 tracts and commitments without regard to fiscal year limi-
 12 tation, as provided by section 104 of the Government Cor-
 13 poration Control Act (31 U.S.C. 9104), as may be nec-
 14 essary in carrying out the program for the current fiscal
 15 year.

16 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS

17 PROGRAM

18 For the costs of direct loans, as authorized by title
 19 VII, part C, of the Higher Education Act, as amended,
 20 ~~(136)\$134,000~~ *\$168,000: Provided, That such costs, in-*
 21 *cluding costs of modifying such loans, shall be as defined*
 22 *in section 502 of the Congressional Budget Act of 1974*
 23 *and that these funds are available to subsidize gross obli-*
 24 *gations for the principal amount of direct loans of not to*
 25 *exceed (137)\$8,000,000 \$10,000,000: Provided further,*
 26 *That obligated balances of these appropriations will re-*

1 main available until expended, notwithstanding the provi-
2 sions of 31 U.S.C. 1552(a), as amended by Public Law
3 101-510. In addition, for administrative expenses to carry
4 out the existing direct loan program of college housing and
5 academic facilities loans entered into pursuant to title VII,
6 part C, of the Higher Education Act, as amended,
7 \$1,022,000.

8 COLLEGE HOUSING LOANS

9 Pursuant to title VII, part C of the Higher Education
10 Act, as amended, for necessary expenses of the college
11 housing loans program, previously carried out under title
12 IV of the Housing Act of 1950, the Secretary shall make
13 expenditures and enter into contracts without regard to
14 fiscal year limitation using loan repayments and other re-
15 sources available to this account. Any unobligated bal-
16 ances becoming available from fixed fees paid into this ac-
17 count pursuant to 12 U.S.C. 1749d, relating to payment
18 of costs for inspections and site visits, shall be available
19 for the operating expenses of this account.

20 HISTORICALLY BLACK COLLEGE AND UNIVERSITY

21 CAPITAL FINANCING, PROGRAM ACCOUNT

22 The total amount of bonds insured pursuant to sec-
23 tion 724 of title VII, part B of the Higher Education Act
24 shall not exceed \$357,000,000, and the cost, as defined
25 in section 502 of the Congressional Budget Act of 1974,
26 of such bonds shall not exceed zero.

1 For administrative expenses to carry out the Histori-
2 cally Black College and University Capital Financing Pro-
3 gram entered into pursuant to title VII, part B of the
4 Higher Education Act, as amended, \$347,000.

5 EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

6 For carrying out activities authorized by the Edu-
7 cational Research, Development, Dissemination, and Im-
8 provement Act; the Elementary and Secondary Education
9 Act of 1965 (138) and the Education Council Act, as
10 amended by the Improving America's Schools Act as
11 passed the House of Representatives on March 24, 1994;
12 the National Education Statistics Act of 1994 as passed
13 the House of Representatives on March 24, 1994; and the
14 General Education Provisions Act, \$318,775,000: *Pro-*
15 *vided*, That \$39,320,000 shall be for regional laboratories,
16 including rural initiatives; \$4,463,000 shall be for civics
17 education activities; \$14,480,000 shall be for the National
18 Diffusion Network; \$34,424,000 shall be for Eisenhower
19 professional development Federal activities; and
20 \$20,000,000 shall be for Federal leadership activities in
21 education technology, as amended by the Improving Ameri-
22 ca's Schools Act as passed the Senate on August 2, 1994;
23 the National Education Statistics Act of 1994, as passed
24 the Senate on August 2, 1994; and title VI of Public Law
25 103-227; \$371,586,000: *Provided*, That \$41,000,000 shall
26 be for regional laboratories, including rural initiatives and

1 *network activities; \$33,000,000 shall be for research centers;*
2 *\$43,000,000 shall be for the Fund for the Improvement of*
3 *Education, including \$5,000,000 for title VI of Public Law*
4 *103–227, \$3,000,000 for Elementary School Counseling*
5 *Demonstrations, \$125,000 for National Student and Parent*
6 *Mock Elections, \$1,000,000 for the Partnerships in Char-*
7 *acter Education Pilot Project, \$500,000 for Promoting*
8 *Scholar-Athlete Competitions, and \$900,000 for 21st Cen-*
9 *tury Community Learning Centers, as authorized by title*
10 *VIII of the Elementary and Secondary Education Act, as*
11 *amended by the Improving America’s Schools Act as passed*
12 *the Senate on August 2, 1994; \$4,463,000 shall be for civic*
13 *education activities; \$14,480,000 shall be for the National*
14 *Diffusion Network; \$40,000,000 shall be for Eisenhower*
15 *professional development Federal activities, including not*
16 *less than \$5,472,000 for the National Clearinghouse for*
17 *Science and Mathematics, \$15,000,000 for regional consor-*
18 *tia, and \$3,000,000 for part E of title II of the Elementary*
19 *and Secondary Education Act, as amended by the Improv-*
20 *ing America’s Schools Act as passed the Senate on August*
21 *2, 1994; and \$50,000,000 shall be for education technology*
22 *activities under part A of title III of the Elementary and*
23 *Secondary Education Act, as amended by the Improving*
24 *America’s Schools Act as passed the Senate on August 2,*
25 *1994.*

LIBRARIES

1
2 For carrying out, to the extent not otherwise pro-
3 vided, titles I, II, III, IV, and VI of the Library Services
4 and Construction Act (20 U.S.C. ch. 16), and
5 ~~(139)~~section 222 of the Higher Education Act,
6 ~~\$115,996,000~~ *title II of the Higher Education Act,*
7 *\$147,558,000, of which \$17,792,000 shall be used to carry*
8 *out the provisions of title II of the Library Services and*
9 *Construction Act and shall remain available until ex-*
10 *pended, and \$4,916,000 shall be for section 222 and*
11 *\$8,270,000 shall be for section 223 of the Higher Education*
12 *Act, of which \$2,500,000 shall be for demonstration of on-*
13 *line and dial-in access to a statewide, multitype library*
14 *bibliographic data base through a statewide fiber optic net-*
15 *work housing a point of presence in every county, connect-*
16 *ing library services in every municipality, and \$1,500,000*
17 *shall be for a demonstration project making Federal infor-*
18 *mation and other data bases available for public use by con-*
19 *necting Internet to a multistate consortium of public and*
20 *private colleges and universities, a public library system,*
21 *and a State historical library.*

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

22
23
24 For carrying out, to the extent not otherwise pro-
25 vided, the Department of Education Organization Act, in-

1 cluding rental of conference rooms in the District of Co-
 2 lumbia and hire of two passenger motor vehicles,
 3 ~~(140)\$359,358,000~~ \$346,008,000.

4 OFFICE FOR CIVIL RIGHTS

5 For expenses necessary for the Office for Civil
 6 Rights, as authorized by section 203 of the Department
 7 of Education Organization Act, \$58,325,000.

8 OFFICE OF THE INSPECTOR GENERAL

9 For expenses necessary for the Office of the Inspector
 10 General, as authorized by section 212 of the Department
 11 of Education Organization Act, ~~(141)\$29,199,000~~
 12 \$31,675,000.

13 GENERAL PROVISIONS

14 SEC. 301. No part of the funds contained in this title
 15 may be used to force any school or school district which
 16 is desegregated as that term is defined in title IV of the
 17 Civil Rights Act of 1964, Public Law 88-352, to take any
 18 action to force the busing of students; to force on account
 19 of race, creed or color the abolishment of any school so
 20 desegregated; or to force the transfer or assignment of any
 21 student attending any elementary or secondary school so
 22 desegregated to or from a particular school over the pro-
 23 test of his or her parents or parent.

24 SEC. 302. (a) No part of the funds contained in this
 25 title shall be used to force any school or school district
 26 which is desegregated as that term is defined in title IV

1 of the Civil Rights Act of 1964, Public Law 88–352, to
2 take any action to force the busing of students; to require
3 the abolishment of any school so desegregated; or to force
4 on account of race, creed or color the transfer of students
5 to or from a particular school so desegregated as a condi-
6 tion precedent to obtaining Federal funds otherwise avail-
7 able to any State, school district or school.

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

16 SEC. 303. None of the funds contained in this Act
17 shall be used to require, directly or indirectly, the trans-
18 portation of any student to a school other than the school
19 which is nearest the student's home, except for a student
20 requiring special education, to the school offering such
21 special education, in order to comply with title VI of the
22 Civil Rights Act of 1964. For the purpose of this section
23 an indirect requirement of transportation of students in-
24 cludes the transportation of students to carry out a plan
25 involving the reorganization of the grade structure of

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

5 SEC. 304. No funds appropriated under this Act may
6 be used to prevent the implementation of programs of vol-
7 untary prayer and meditation in the public schools.

8 This title may be cited as the “Department of Edu-
9 cation Appropriations Act, 1995”.

10 TITLE IV—RELATED AGENCIES

11 ARMED FORCES RETIREMENT HOME

12 For expenses necessary for the Armed Forces Retire-
13 ment Home to operate and maintain the United States
14 Soldiers’ and Airmen’s Home and the United States Naval
15 Home, to be paid from funds available in the Armed
16 Forces Retirement Home Trust Fund, ~~(142)~~\$59,816,000
17 \$56,820,000, of which \$2,906,000 shall remain available
18 until expended for construction and renovation of the
19 physical plants at the United States Soldiers’ and Air-
20 men’s Home and the United States Naval Home: *Pro-*
21 *vided*, That this appropriation shall not be available for
22 the payment of hospitalization of members of the Soldiers’
23 and Airmen’s Home in United States Army hospitals at
24 rates in excess of those prescribed by the Secretary of the

1 Army upon recommendation of the Board of Commis-
 2 sioners and the Surgeon General of the Army.

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

6 For expenses necessary for the Corporation for Na-
 7 tional and Community Service to carry out the provisions
 8 of the Domestic Volunteer Service Act of 1973, as amend-
 9 ed, ~~(143)\$205,771,000~~ \$217,688,000.

10 CORPORATION FOR PUBLIC BROADCASTING

11 ~~(144)(RESCISSION)~~

12 ~~Of the funds made available under this heading in~~
 13 ~~Public Law 102-394, \$21,100,000 are hereby rescinded.~~

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

4 SALARIES AND EXPENSES

5 For expenses necessary for the Federal Mediation
6 and Conciliation Service to carry out the functions vested
7 in it by the Labor-Management Relations Act, 1947 (29
8 U.S.C. 171–180, 182–183), including hire of passenger
9 motor vehicles; and for expenses necessary for the Labor-
10 Management Cooperation Act of 1978 (29 U.S.C. 175a);
11 and for expenses necessary for the Service to carry out
12 the functions vested in it by the Civil Service Reform Act,
13 Public Law 95–454 (5 U.S.C. chapter 71),
14 ~~(145)\$31,078,000~~ \$31,610,000.

15 FEDERAL MINE SAFETY AND HEALTH REVIEW

16 COMMISSION

17 SALARIES AND EXPENSES

18 For expenses necessary for the Federal Mine Safety
19 and Health Review Commission (30 U.S.C. 801 et seq.),
20 \$6,200,000.

21 NATIONAL COMMISSION ON LIBRARIES AND

22 INFORMATION SCIENCE

23 SALARIES AND EXPENSES

24 For necessary expenses for the National Commission
25 on Libraries and Information Science, established by the

1 Act of July 20, 1970 (Public Law 91-345, as amended
2 by Public Law 102-95), \$901,000.

3 NATIONAL COUNCIL ON DISABILITY

4 SALARIES AND EXPENSES

5 For expenses necessary for the National Council on
6 Disability as authorized by title IV of the Rehabilitation
7 Act of 1973, as amended, ~~(146)\$1,643,000~~ \$1,843,000.

8 NATIONAL LABOR RELATIONS BOARD

9 SALARIES AND EXPENSES

10 For expenses necessary for the National Labor Rela-
11 tions Board to carry out the functions vested in it by the
12 Labor-Management Relations Act, 1947, as amended (29
13 U.S.C. 141-167), and other laws, ~~(147)\$173,388,000~~
14 \$176,047,000: *Provided*, That no part of this appropriation
15 shall be available to organize or assist in organizing agri-
16 cultural laborers or used in connection with investigations,
17 hearings, directives, or orders concerning bargaining units
18 composed of agricultural laborers as referred to in section
19 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as
20 amended by the Labor-Management Relations Act, 1947,
21 as amended, and as defined in section 3(f) of the Act of
22 June 25, 1938 (29 U.S.C. 203), and including in said defi-
23 nition employees engaged in the maintenance and oper-
24 ation of ditches, canals, reservoirs, and waterways when
25 maintained or operated on a mutual, nonprofit basis and

1 at least 95 per centum of the water stored or supplied
2 thereby is used for farming purposes.

3 NATIONAL MEDIATION BOARD

4 SALARIES AND EXPENSES

5 For expenses necessary to carry out the provisions
6 of the Railway Labor Act, as amended (45 U.S.C. 151-
7 188), including emergency boards appointed by the Presi-
8 dent, \$8,119,000.

9 OCCUPATIONAL SAFETY AND HEALTH REVIEW

10 COMMISSION

11 SALARIES AND EXPENSES

12 For expenses necessary for the Occupational Safety
13 and Health Review Commission (29 U.S.C. 661),
14 \$7,595,000.

15 PHYSICIAN PAYMENT REVIEW COMMISSION

16 SALARIES AND EXPENSES

17 For expenses necessary to carry out section 1845(a)
18 of the Social Security Act, \$4,176,000 to be transferred
19 to this appropriation from the Federal Supplementary
20 Medical Insurance Trust Fund.

21 PROSPECTIVE PAYMENT ASSESSMENT COMMISSION

22 SALARIES AND EXPENSES

23 For expenses necessary to carry out section 1886(e)
24 of the Social Security Act, \$4,667,000 to be transferred
25 to this appropriation from the Federal Hospital Insurance

1 and the Federal Supplementary Medical Insurance Trust
2 Funds.

3 RAILROAD RETIREMENT BOARD

4 DUAL BENEFITS PAYMENTS ACCOUNT

5 For payment to the Dual Benefits Payments Ac-
6 count, authorized under section 15(d) of the Railroad Re-
7 tirement Act of 1974, \$261,000,000, which shall include
8 amounts becoming available in fiscal year 1995 pursuant
9 to section 224(c)(1)(B) of Public Law 98-76; and in addi-
10 tion, an amount, not to exceed 2 percent of the amount
11 provided herein, shall be available proportional to the
12 amount by which the product of recipients and the average
13 benefit received exceeds \$261,000,000: *Provided*, That the
14 total amount provided herein shall be credited in 12 ap-
15 proximately equal amounts on the first day of each month
16 in the fiscal year.

17 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

18 ACCOUNTS

19 For payment to the accounts established in the
20 Treasury for the payment of benefits under the Railroad
21 Retirement Act for interest earned on unnegotiated
22 checks, \$300,000, to remain available through September
23 30, 1996, which shall be the maximum amount available
24 for payment pursuant to section 417 of Public Law 98-
25 76.

1 LIMITATION ON ADMINISTRATION

2 For necessary expenses for the Railroad Retirement
3 Board, \$73,881,000, to be derived from the railroad re-
4 tirement accounts: *Provided*, That \$200,000 of the fore-
5 going amount shall be available only to the extent nec-
6 essary to process workloads not anticipated in the budget
7 estimates and after maximum absorption of the costs of
8 such workloads within the remainder of the existing limi-
9 tation has been achieved(148): *Provided further*, That
10 *notwithstanding any other provision of law, no portion of*
11 *this limitation shall be available for payments of standard*
12 *level user charges pursuant to section 210(j) of the Federal*
13 *Property and Administrative Services Act of 1949, as*
14 *amended (40 U.S.C. 490(j); 45 U.S.C. 231-231u).*

15 LIMITATION ON RAILROAD UNEMPLOYMENT INSURANCE

16 ADMINISTRATION FUND

17 For further expenses necessary for the Railroad Re-
18 tirement Board, for administration of the Railroad Unem-
19 ployment Insurance Act, not less than \$17,031,000 shall
20 be apportioned for fiscal year 1995 from moneys credited
21 to the railroad unemployment insurance administration
22 fund.

23 SPECIAL MANAGEMENT IMPROVEMENT FUND

24 To effect management improvements, including the
25 reduction of backlogs, accuracy of taxation accounting,
26 and debt collection, \$1,640,000, to be derived from the

1 railroad retirement accounts and railroad unemployment
2 insurance account: *Provided*, That these funds shall sup-
3 plement, not supplant, existing resources devoted to such
4 operations and improvements.

5 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

6 For expenses necessary for the Office of Inspector
7 General for audit, investigatory and review activities, as
8 authorized by the Inspector General Act of 1978, as
9 amended, not more than ~~(149)\$6,682,000~~ *\$6,860,000*, to
10 be derived from the railroad retirement accounts and rail-
11 road unemployment insurance account.

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, ~~(150)\$10,912,000~~ *\$11,500,000*.

17 TITLE V—GENERAL PROVISIONS

18 SEC. 501. No part of the funds appropriated under
19 this Act shall be used to provide a loan, guarantee of a
20 loan, a grant, the salary of or any remuneration whatever
21 to any individual applying for admission, attending, em-
22 ployed by, teaching at, or doing research at an institution
23 of higher education who has engaged in conduct on or
24 after August 1, 1969, which involves the use of (or the
25 assistance to others in the use of) force or the threat of
26 force or the seizure of property under the control of an

1 institution of higher education, to require or prevent the
2 availability of certain curricula, or to prevent the faculty,
3 administrative officials, or students in such institution
4 from engaging in their duties or pursuing their studies
5 at such institution.

6 SEC. 502. The Secretaries of Labor, Health and
7 Human Services, and Education are authorized to transfer
8 unexpended balances of prior appropriations to accounts
9 corresponding to current appropriations provided in this
10 Act: *Provided*, That such transferred balances are used for
11 the same purpose, and for the same periods of time, for
12 which they were originally appropriated.

13 SEC. 503. No part of any appropriation contained in
14 this Act shall remain available for obligation beyond the
15 current fiscal year unless expressly so provided herein.

16 SEC. 504. (a) No part of any appropriation contained
17 in this Act shall be used, other than for normal and recog-
18 nized executive-legislative relationships, for publicity or
19 propaganda purposes, for the preparation, distribution, or
20 use of any kit, pamphlet, booklet, publication, radio, tele-
21 vision, or film presentation designed to support or defeat
22 legislation pending before the Congress, except in presen-
23 tation to the Congress itself.

24 (b) No part of any appropriation contained in this
25 Act shall be used to pay the salary or expenses of any

1 grant or contract recipient, or agent acting for such recipi-
2 ent, related to any activity designed to influence legislation
3 or appropriations pending before the Congress.

4 SEC. 505. The Secretaries of Labor and Education
5 are each authorized to make available not to exceed
6 \$15,000 from funds available for salaries and expenses
7 under titles I and III, respectively, for official reception
8 and representation expenses; the Director of the Federal
9 Mediation and Conciliation Service is authorized to make
10 available for official reception and representation expenses
11 not to exceed \$2,500 from the funds available for “Sala-
12 ries and expenses, Federal Mediation and Conciliation
13 Service”; and the Chairman of the National Mediation
14 Board is authorized to make available for official reception
15 and representation expenses not to exceed \$2,500 from
16 funds available for “Salaries and expenses, National Medi-
17 ation Board”.

18 SEC. 506. Notwithstanding any other provision of
19 this Act, no funds appropriated under this Act shall be
20 used to carry out any program of distributing sterile nee-
21 dles for the hypodermic injection of any illegal drug unless
22 the Surgeon General of the United States determines that
23 such programs are effective in preventing the spread of
24 HIV and do not encourage the use of illegal drugs, except
25 that such funds may be used for such purposes in further-

1 ance of demonstrations or studies authorized in the
2 ADAMHA Reorganization Act (Public Law 102-321).

3 ~~(151)SEC. 507. (a) PURCHASE OF AMERICAN MADE~~
4 ~~EQUIPMENT AND PRODUCTS.—It is the sense of the Con-~~
5 ~~gress that, to the greatest extent practicable, all equip-~~
6 ~~ment and products purchased with funds made available~~
7 ~~in this Act should be American-made.~~

8 ~~(b) NOTICE REQUIREMENT.—In providing financial~~
9 ~~assistance to, or entering into any contract with, any en-~~
10 ~~tity using funds made available in this Act, the head of~~
11 ~~each Federal agency, to the greatest extent practicable,~~
12 ~~shall provide to such entity a notice describing the state-~~
13 ~~ment made in subsection (a) by the Congress.~~

14 *SEC. 507. No funds appropriated pursuant to this Act*
15 *may be expended by an entity unless the entity agrees that*
16 *in expending the assistance the entity will comply with sec-*
17 *tions 2 through 4 of the Act of March 3, 1933 (41 U.S.C.*
18 *10a-10c, popularly known as the “Buy American Act”).*

19 SEC. 508. When issuing statements, press releases,
20 requests for proposals, bid solicitations and other docu-
21 ments describing projects or programs funded in whole or
22 in part with Federal money, all grantees receiving Federal
23 funds, including but not limited to State and local govern-
24 ments and recipients of Federal research grants, shall
25 clearly state (1) the percentage of the total costs of the

1 program or project which will be financed with Federal
2 money, (2) the dollar amount of Federal funds for the
3 project or program, and (3) percentage and dollar amount
4 of the total costs of the project or program that will be
5 financed by nongovernmental sources.

6 SEC. 509. None of the funds appropriated under this
7 Act shall be expended for any abortion except when it is
8 made known to the Federal entity or official to which
9 funds are appropriated under this Act that such procedure
10 is necessary to save the life of the mother or that the preg-
11 nancy is the result of an act of rape or incest.

12 ~~(152)SEC. 510. No funds appropriated herein shall~~
13 ~~be used to implement any regulation promulgated under~~
14 ~~section 481(b)(6) of the Higher Education Act of 1965,~~
15 ~~as amended, prior to July 1, 1995.~~

16 ~~(153)SEC. 511. None of the funds appropriated or~~
17 ~~otherwise made available under this Act may be obligated~~
18 ~~in violation of existing Federal law or regulation already~~
19 ~~prohibiting such benefit or assistance.~~

20 *SEC. 511. None of the funds appropriated or otherwise*
21 *made available under this Act may be obligated in violation*
22 *of existing Federal law or regulation already prohibiting*
23 *such benefit or assistance. None of the funds appropriated*
24 *under this Act may be used by any Federal official, or any*
25 *State or local official, to encourage the application by or*

1 *on behalf of illegal aliens for Federal or federally assisted*
2 *benefits for which they are not eligible. Each State agency*
3 *and each other entity administering a program under*
4 *which verification of immigration status is required by sec-*
5 *tion 121 of the Immigration Reform and Control Act of*
6 *1986 shall participate in the system for the verification of*
7 *such status established by the Commissioner of the Immi-*
8 *gration and Naturalization pursuant to section 121(c) of*
9 *that Act, unless an alternative system is available and em-*
10 *ployed for such purposes which is found to meet the criteria*
11 *for waiver under section 121(c)(4).*

12 *SEC. 512. Notwithstanding any other provision of law,*
13 *monthly benefit rates under part B or part C of the Black*
14 *Lung Benefits Act shall continue to be based on the benefit*
15 *rates in effect in September, 1994 and be paid in accord-*
16 *ance with the Act, until exceeded by the benefit rate speci-*
17 *fied in section 412(a)(1) of the Act.*

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

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

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

8 *(1) specifically states that the costs previously*
9 *determined to be unallowable will not again be re-*
10 *ported as allowable costs or claimed for reimburse-*
11 *ment, and*

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

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

21 *(c) The unallowability of a type of cost reported or*
22 *claimed for reimbursement may be evidenced by a prior*
23 *final determination by a grant or contracting officer of the*
24 *Agency disallowing such costs charged by that grantee or*
25 *contractor which determination is, where appropriate,*

1 *upheld by any adjudicatory body, such as an Administra-*
2 *tive Law Judge, Board of Contract Appeals, or other higher*
3 *level review provided by law or regulation.*

4 **SEC. 516. PROTECTION AGAINST THE HUMAN**
5 **IMMUNODEFICIENCY VIRUS.**

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

8 **“§ 1118. Protection against the Human**
9 **Immunodeficiency Virus**

10 *“(a) IN GENERAL.—Whoever, after testing positive for*
11 *the Human Immunodeficiency Virus (HIV) and receiving*
12 *actual notice of that fact, knowingly donates or sells, or*
13 *knowingly attempts to donate or sell, blood, semen, tissues,*
14 *organs, or other bodily fluids, except as determined nec-*
15 *essary for medical research, shall be fined or imprisoned*
16 *in accordance with subsection (c).*

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

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

24 **(154)SEC. 517. (a)(1)** *The Senate finds that Federal*
25 *payments in lieu of taxes to counties compensate local juris-*

1 *dictions for services provided in areas owned by the Federal*
2 *Government and for tax revenues foregone due to such Fed-*
3 *eral ownership.*

4 *(2) PILT payments are critical to counties to provide*
5 *vital basic services such as emergency search and rescue;*
6 *law enforcement; fire and emergency medical services; solid*
7 *waste management, road maintenance, and health and*
8 *other human services.*

9 *(3) PILT payments have not been increased since*
10 *1976, and the consumer price index has risen 127 percent*
11 *since 1976.*

12 *(4) On April 13, 1994, the Senate approved legislation*
13 *to increase PILT payments by \$115,000,000 over 5 years,*
14 *and index the payments to keep pace with inflation.*

15 *(5) Enactment of this legislation is critical to counties*
16 *in 49 States throughout the Nation.*

17 *(b) It is the sense of the Senate that the House should*
18 *approve the Senate passed legislation to increase PILT pay-*
19 *ments, and that this legislation should be enacted by the*
20 *adjournment of the One Hundred Third Congress. Further,*
21 *it is the sense of the Senate that, pursuant to enactment,*
22 *the President should include full funding for the PILT pro-*
23 *gram in the fiscal year 1996 budget.*

1 874, \$10,000,000, to remain available until expended, of
2 which \$10,000,000 shall be available from funds provided
3 under the heading "DEPARTMENT OF EDUCATION"
4 under the heading "IMPACT AID" in the Emergency Supple-
5 mental Appropriations Act of 1994 (Public Law 103-211):
6 Provided, That such funds shall be available only to the
7 extent an official budget request for a specific dollar
8 amount, that includes designation of the entire amount of
9 the request as an emergency requirement as defined in the
10 Balanced Budget and Emergency Deficit Control Act of
11 1985, as amended, is transmitted by the President to the
12 Congress: Provided, That the entire amount is designated
13 by the Congress as an emergency requirement pursuant to
14 section 251(b)(2)(D)(i) of the Balanced Budget and Emer-
15 gency Deficit Control Act of 1985, as amended.

16 This Act may be cited as the "Departments of Labor,
17 Health and Human Services, and Education, and Related
18 Agencies Appropriations Act, 1995".

Passed the House of Representatives June 29, 1994.

Attest: DONNALD K. ANDERSON,
Clerk.

Passed the Senate August 10 (legislative day, Au-
gust 8), 1994.

Attest: MARTHA S. POPE,
Secretary.

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