

Public Law 102-389
102d Congress

An Act

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1993, and for other purposes.

Oct. 6, 1992
[H.R. 5679]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1993, and for other purposes, namely:

Departments of
Veterans Affairs
and Housing and
Urban
Development,
and Independent
Agencies
Appropriations
Act, 1993.

TITLE I

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans as authorized by law (38 U.S.C. 107, chapters 11, 13, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540-548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), \$16,494,239,000, to remain available until expended: *Provided*, That not less than \$8,357,000 of the foregoing amount shall be reimbursed to "General operating expenses" for necessary expenses in implementing those savings provisions authorized in the Omnibus Budget Reconciliation Act of 1990, the funding source for which is specifically provided as the "Compensation and pensions" appropriation.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 35, 36, 39, 51, 53, 55, and 61), \$814,010,000, to remain available until expended: *Provided*, That funds shall be available to pay any court order, court award or any compromise settlement

arising from litigation involving the vocational training program authorized by section 18 of Public Law 98-77, as amended.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by law (38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487), \$22,730,000, to remain available until expended.

GUARANTY AND INDEMNITY PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$40,524,000, which may be transferred to and merged with the appropriation for "General operating expenses".

LOAN GUARANTY PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$87,869,000, which may be transferred to and merged with the appropriation for "General operating expenses".

DIRECT LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, such sums as may be necessary to carry out the purpose of the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That during 1993, within the resources available, not to exceed \$1,000,000 in gross obligations for direct loans are authorized for specially adapted housing loans (38 U.S.C. chapter 37).

In addition, for administrative expenses to carry out the direct loan program, \$1,393,000, which may be transferred to and merged with the appropriation for "General operating expenses".

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

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

of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$11,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$305,000, which may be transferred to and merged with the appropriation for "General operating expenses".

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$51,000, as authorized by 38 U.S.C. chapter 31, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$1,760,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$962,000, which may be transferred to and merged with the appropriation for "General operating expenses".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, including the cost of modifying loans, of direct loans authorized by Native American Veterans' Home Loan Equity Act of 1992 (S. 2528, 102d Congress, as reported by the Senate Committee on Veterans' Affairs), \$4,500,000, to remain available until expended: *Provided*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$58,400,000.

In addition, for administrative expenses to carry out the direct loan program, \$500,000, which may be transferred to and merged with the appropriation for "General operating expenses" to cover the common overhead expenses associated with implementing the Federal Credit Reform Act of 1990.

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the Department of Veterans Affairs, and furnishing recreational facilities, supplies, and equipment; funeral, burial, and other expenses incidental thereto for beneficiaries receiving care in Department of Veterans Affairs facilities; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department of Veterans Affairs, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms or allowances therefor,

as authorized by law (5 U.S.C. 5901-5902); aid to State homes as authorized by law (38 U.S.C. 1741); and not to exceed \$2,000,000 to fund cost comparison studies as referred to in 38 U.S.C. 8110(a)(5); \$14,642,723,000 (of which \$405,700,000 is available as a result of the cost savings provision of the last proviso under this heading), plus reimbursements: *Provided*, That of the sum appropriated, \$9,440,000,000 is available only for expenses in the personnel compensation and benefits object classifications: *Provided further*, That of the funds made available under this heading, \$476,860,000 is for the equipment and land and structures object classifications only, which amount shall not become available for obligation until August 1, 1993, and shall remain available for obligation until September 30, 1994: *Provided further*, That after September 30, 1992, none of the funds appropriated to the Department of Veterans Affairs in this Act or any other Act shall be available to implement or fund Veterans Health Administration Directive 10-92-013, dated January 24, 1992 (Medical Research Service Career Development Program Funding): *Provided further*, That notwithstanding the provisions of 38 U.S.C. 3732(c)(1)(C) and (c)(11) or any other law, with respect to any loan guaranteed for any purpose specified in 38 U.S.C. 3710 which was closed before October 1, 1993, the term "net value" for purposes of paragraphs (4) through (10) of 38 U.S.C. 3732 shall mean "the amount equal to (i) the fair market value of the property, minus (ii) the total of the amounts which the Secretary estimates the Secretary would incur (if the Secretary were to acquire and dispose of the property) for property taxes, assessments, liens, property maintenance, property improvement, administration, resale (including losses sustained on the resale of the property), and other costs resulting from the acquisition and disposition of the property, excluding any amount attributed to the cost of the Government of borrowing funds".

38 USC 3732
note.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by law (38 U.S.C. chapter 73), to remain available until September 30, 1994, \$232,000,000, plus reimbursements.

HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM

For payment of health professional scholarship program grants, as authorized by law, to students who agree to a service obligation with the Department of Veterans Affairs at one of its medical facilities, \$10,113,000.

HEALTH PROFESSIONAL EDUCATION LOAN PAYMENT PROGRAM

For payment of outstanding tuition loans to Department of Veterans Affairs health care professional employees (excluding physicians and dentists) who agree to remain in service for one year or more, \$5,000,000, to remain available until September 30, 1994: *Provided*, That the Secretary, in order to recruit and retain such employees, may make such payments, not to exceed \$3,000 during any calendar year, or \$12,000 in total, to any such employee who has an outstanding tuition loan from an educational institution approved by the Secretary that has led to a degree in the health care occupation in which such individual is employed: *Provided*

38 USC 7601
note.

further, That no payment shall be made in advance: *Provided further*, That regulations shall be promulgated by the Secretary to implement this program. Regulations.

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING
EXPENSES

For necessary expenses in the administration of the medical hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law, \$71,954,000, plus reimbursements: *Provided*, That of the funds made available under this heading, \$25,000,000 may be available for transfer to the Medical and Prosthetic Research Appropriation for the Career Development Program.

GRANTS TO THE REPUBLIC OF THE PHILIPPINES

For payment to the Republic of the Philippines of grants, as authorized by law (38 U.S.C. 1732), for assisting in the replacement and upgrading of equipment and in rehabilitating the physical plant and facilities of the Veterans Memorial Medical Center, \$500,000, to remain available until September 30, 1994.

TRANSITIONAL HOUSING LOAN PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$7,000, as authorized by Public Law 102-54, section 8: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$70,000. In addition, for administrative expenses to carry out the direct loan program, \$50,000, which may be transferred to and merged with the "General Post Fund", as authorized by Public Law 102-54, section 8.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including uniforms or allowances therefor, as authorized by law; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail; \$811,919,000, of which \$20,000,000 for the acquisition of automated data processing equipment and services to support the modernization program in the Veterans Benefits Administration shall not become available for obligation until September 1, 1993, and shall remain available for obligation until September 30, 1994.

NATIONAL CEMETERY SYSTEM

For necessary operating expenses of the National Cemetery System not otherwise provided for, including uniforms or allowances therefor, as authorized by law; cemeterial expenses as authorized

by law; purchase of ten passenger motor vehicles, for use in cemeterial operations; and hire of passenger motor vehicles, \$70,668,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$31,182,000.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, and site acquisition, where the estimated cost of a project is \$3,000,000 or more or where funds for a project were made available in a previous major project appropriation, \$492,674,000, to remain available until expended: *Provided*, That except for advance planning of projects funded through the advance planning fund and the design of projects funded through the design fund, none of these funds shall be used for any project which has not been considered and approved by the Congress in the budgetary process: *Provided further*, That funds provided in this appropriation for fiscal year 1993, for each approved project shall be obligated (1) by the awarding of a construction documents contract by September 30, 1993, and (2) by the awarding of a construction contract by September 30, 1994: *Provided further*, That the Secretary shall promptly report in writing to the Comptroller General and to the Committees on Appropriations any approved major construction project in which obligations are not incurred within the time limitations established above; and the Comptroller General shall review the report in accordance with the procedures established by section 1015 of the Impoundment Control Act of 1974 (title X of Public Law 93-344): *Provided further*, That no funds from any other account except the "Parking garage revolving fund", may be obligated for constructing, altering, extending, or improving a project which was approved in the budget process and funded in this account until one year after substantial completion and beneficial occupancy by the Department of Veterans Affairs of the project or any part thereof with respect to that part only: *Provided further*, That prior to the issuance of a bidding document for any construction contract for a project approved under this heading (excluding completion items), the director of the affected Department of Veterans Affairs medical facility must certify that the design of such project is acceptable from a patient care standpoint.

Reports.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services

of claims analysts, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, where the estimated cost of a project is less than \$3,000,000, \$149,525,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is less than \$3,000,000: *Provided*, That notwithstanding any other provision of this Act, no part of the funds appropriated under this heading shall be available to carry out the functions of the Office of Facilities: *Provided further*, That funds in this account shall be available for (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department of Veterans Affairs which are necessary because of loss or damage caused by any natural disaster or catastrophe, and (2) temporary measures necessary to prevent or to minimize further loss by such causes: *Provided further*, That \$1,000,000 of previously appropriated funds for the construction of a pedestrian bridge to connect the John L. McClellan Veterans Affairs Medical Center with the University of Arkansas for Medical Sciences Clinical Building shall be awarded within 90 days of enactment of this Act to a responsive and qualified construction bid offeror: *Provided further*, That the Secretary of Veterans Affairs shall transmit to the Committees on Appropriations of the House and Senate a report providing a full and detailed explanation should an award not be made within the 90-day period and which sets forth a revised schedule to proceed with this project; said report shall be transmitted not less than 30 days following the expiration of the 90-day period.

Reports.

PARKING GARAGE REVOLVING FUND

For the parking garage revolving fund as authorized by law (38 U.S.C. 8109), \$1,317,000, together with income from fees collected, to remain available until expended. Resources of this fund shall be available for all expenses authorized by 38 U.S.C. 8109 except operations and maintenance costs which will be funded from "Medical care".

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist the several States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by law (38 U.S.C. 8131-8137), \$40,000,000, to remain available until September 30, 1995.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veteran cemeteries as authorized by law (38 U.S.C. 2408), \$5,104,000, to remain available until September 30, 1995.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

Any appropriation for 1993 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred to any other of the mentioned appropriations.

Appropriations available to the Department of Veterans Affairs for 1993 for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

No part of the appropriations in this Act for the Department of Veterans Affairs (except the appropriations for "Construction, major projects", "Construction, minor projects" and the "Parking garage revolving fund") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

No part of the foregoing appropriations shall be available for hospitalization or examination of any persons except beneficiaries entitled under the laws bestowing such benefits to veterans, unless reimbursement of cost is made to the appropriation at such rates as may be fixed by the Secretary of Veterans Affairs.

Appropriations available to the Department of Veterans Affairs for fiscal year 1993 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the aforementioned accounts within the last quarter of fiscal year 1992.

Appropriations accounts available to the Department of Veterans Affairs for fiscal year 1993 shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from title X of the Competitive Equality Banking Act, Public Law 100-86, 1987, except that if such obligations are from trust fund accounts they shall be payable from "Compensation and pensions".

Notwithstanding any other provision of this Act, funds appropriated under the following headings shall be available to carry out the functions of the Office of Facilities to support the purposes enumerated for each account: (1) "Medical administration and miscellaneous operating expenses" for administrative expenses in support of planning, design, project management, architectural, engineering, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department of Veterans Affairs, including site acquisition; engineering and architectural activities not charged to project cost; and research and development in building construction technology; (2) "Medical care" for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department of Veterans Affairs; and oversight, engineering and architectural activities not charged to project cost; and (3) "General operating expenses" for construction program oversight; legal services; and in addition to the availability of other accounts, expenses in support of lease-purchase agreement and enhanced-use lease activities.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING PROGRAMS

HOMEOWNERSHIP AND OPPORTUNITY FOR PEOPLE EVERYWHERE
GRANTS (HOPE GRANTS)

For the HOPE for Public and Indian Housing Homeownership Program as authorized under title III of the United States Housing Act of 1937 (42 U.S.C. 1437aaa et seq.) and subtitle A of title IV of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), \$161,000,000; for the HOPE for Homeownership of Multifamily Units Program as authorized under subtitle B of title IV of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), \$95,000,000; for the HOPE for Homeownership of Single Family Homes Program as authorized under subtitle C of title IV of the Cranston-Gonzalez National Affordable Housing Act, \$95,000,000; and for the HOPE for Elderly Independence demonstration program as authorized under section 803(k) of the Cranston-Gonzalez National Affordable Housing Act, \$10,000,000: *Provided*, That all amounts shall remain available until expended.

Of the amounts provided under this heading for the HOPE for Homeownership of Multifamily Units Program, \$10,000,000 shall be available for assistance to mutual housing associations, to the extent that such associations submit approvable grant applications under such program.

Furthermore, \$300,000,000 shall be for grants to carry out an urban revitalization demonstration program involving major reconstruction of severely distressed or obsolete public housing projects, to be administered by local public housing agencies: *Provided*, That such funding shall be made available to up to 15 cities selected from either the 40 most populous United States cities or, from any city whose housing authority was considered to have been on the Department's troubled housing authorities list as of March 31, 1992: *Provided further*, That no more than \$50,000,000 shall be provided to each participating municipality: *Provided further*, That no more than 500 units shall be funded for each participating city and such units shall be located in up to 3 separately defined areas containing the community's most severely distressed projects, including family high-rise projects: *Provided further*, That at least 80 per centum of the funding provided to each participating public housing agency shall be used for the capital costs of major reconstruction, rehabilitation and other physical improvements, for the capital costs of replacement units and for certificates under section 8(b) used for replacement and for management improvements for the reconstructed project and for planning and technical assistance purposes and not more than 20 per centum shall be used for community service programs (as defined by the Commission on National and Community Service) and for supportive services, including, but not limited to, literacy training, job training, day care, youth activities, administrative expenses, and the permissive and mandatory services authorized under the Gateway Program established in the Family Support Centers demonstration program, provided for in 42 U.S.C. 11485e-f: *Provided further*, That each participating city shall make contributions for supportive services in an amount equal to 15

42 USC 1437f
note.

per centum of the funding provided for supportive services pursuant to the immediately preceding proviso: *Provided further*, That all such contributions from participating jurisdictions for supportive services shall be derived from non-Federal sources: *Provided further*, That each participating community shall submit a plan for program implementation which is consistent with the local comprehensive housing affordability strategy prepared pursuant to section 105 of the Cranston-Gonzalez National Affordable Housing Act and which has the approval of the local governing body: *Provided further*, That each plan shall include a community services component, but no funds are to be disbursed pursuant to this paragraph until such community services program has been approved by the Commission on National and Community Service: *Provided further*, That funds made available pursuant to this paragraph may be used in conjunction with, but not in lieu of, funding provided under the head "Modernization of Low-Income Housing Projects" for the modernization of existing public housing projects pursuant to section 14 of the Act (42 U.S.C. 14371); for construction or major reconstruction of obsolete public housing, other than for Indian families; for the replacement of public housing units pursuant to section 18 of the Act; and for the HOPE for Public and Indian Housing Homeownership program as authorized under title III of the Act: *Provided further*, That notwithstanding the provisions of section 18(b)(3) of the Act, units demolished, disposed of or otherwise eliminated under this demonstration may be replaced as follows: one-third by certificates under section 8(b) and the balance by any combination of conventional public housing and units acquired or otherwise provided for homeownership under section 5(h) of the Act, housing made available through housing opportunity programs of construction or substantial rehabilitation of homes meeting essentially the same eligibility requirements as those established pursuant to sections 603-607 of the Housing and Community Development Act of 1987 (Public Law 100-242), or under the HOPE II or III programs, as established under sections 421 and 441 of the Cranston-Gonzalez National Affordable Housing Act; persons displaced by the reconstruction activities provided for herein shall be eligible for these replacement units: *Provided further*, That, in order to be eligible for funding under this paragraph, applications for funding must be received within 180 days from the date the Notice of Funds Availability is published in the Federal Register: *Provided further*, That the Secretary of the Department of Housing and Urban Development shall issue a notice of funds availability within 90 days of enactment of this paragraph: *Provided further*, That the Secretary shall determine which cities have been selected to participate in the program within 90 days of the timely receipt of the last eligible application: *Provided further*, That housing authorities, in submitting their application for funds under this paragraph, shall identify all severely distressed public housing developments, using the criteria set forth by the National Commission on Severely Distressed Public Housing: *Provided further*, That nothing in this paragraph shall prohibit the Secretary from conforming the program standards and criteria set forth herein, with subsequent authorization legislation that may be enacted into law: *Provided further*, That the authority in the immediately preceding proviso shall not apply to any legislation that excludes or otherwise limits self-sufficiency or community service activities set forth in this paragraph, or authorize reallocation of amounts

Federal
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publication.

available for obligation which are included in this paragraph: *Provided further*, That any troubled housing authority that applies for funds under this paragraph, shall not be eligible if the Secretary certifies to the Congress that they are not making substantial progress to eliminate their troubled status in accordance with section 6(j) of the Housing Act of 1937, as amended: *Provided further*, That in the event that communities applying for funding under this paragraph also request funding under any other HOPE program authorized under title III or title IV of the Cranston-Gonzalez National Affordable Housing Act, the Secretary shall process such applications concurrently and in an expeditious manner: *Provided further*, That, in the event that any application received from the cities initially selected to participate in this program is determined to be unacceptable, the Secretary shall select another city from the 40 most populous United States cities to receive funding under this paragraph: *Provided further*, That, in the event that communities selected to receive funding do not proceed in a manner consistent with the plan approved for that community, the Secretary may withdraw any unobligated balances of funding made available pursuant to this paragraph and distribute such funds to other eligible communities.

Of the amount made available under this head in Public Law 102-139 for the HOPE for Homeownership of Multifamily Units Program as authorized under subtitle B of title IV of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), \$3,000,000 shall be made available for a cooperative agreement between the Secretary of Housing and Urban Development and the National Center for Tenant Ownership in affiliation with the Harrison Institute at the Georgetown University Law Center, for the provision of technical assistance to potential recipients and recipients of grants under that program.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), as amended, \$1,000,000,000 to remain available until expended: *Provided*, That in order to allocate the total amount provided, the Act shall be construed as follows: in section 216(3)(A), "\$750,000" both places it appears shall be "\$375,000"; in section 217(b)(2)(A), "\$3,000,000" both places it appears shall be "\$750,000"; in section 217(b)(2)(B), "\$500,000" both places it appears shall be "\$250,000"; and in section 217(b)(3), "\$500,000" shall be "\$250,000".

Hereafter, for purposes of amounts appropriated under this heading in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1992 (Public Law 102-139; 105 Stat. 736, 744), the per-unit cost limits established by the Secretary of Housing and Urban Development under section 212(d) of the HOME Investment Partnerships Act (42 U.S.C. 12742(d)) shall reflect the actual development costs in each area in a manner that ensures compliance with the matching contributions waiver provided under such heading in such Appropriations Act.

Section 217(a) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12747(a)) is amended—

(1) in the first sentence of paragraph (1), by inserting “and after reserving amounts for the insular areas under paragraph (3)” before the first comma; and

(2) by adding at the end the following new paragraph:

“(3) **INSULAR AREAS.**—For each fiscal year, of any amounts approved in appropriations Acts to carry out this title, the Secretary shall reserve for grants to the insular areas the greater of (A) \$750,000, or (B) 0.2 percent of the amounts appropriated under such Acts. The Secretary shall provide for the distribution of amounts reserved under this paragraph among the insular areas pursuant to specific criteria for such distribution. The criteria shall be contained in a regulation promulgated by the Secretary after notice and public comment.”

Regulations.

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

(INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

For assistance under the United States Housing Act of 1937, as amended (“the Act” herein) (42 U.S.C. 1437), not otherwise provided for, \$8,936,731,000, to remain available until expended: *Provided*, That to be added to and merged with the foregoing amounts, there shall be up to \$287,234,000, consisting of up to \$24,000,000 of budget authority previously made available under the “Flexible subsidy fund” which remains unreserved at the end of fiscal year 1992; \$18,934,000 of budget authority previously made available for the Nehemiah Housing Opportunity Fund which remains unreserved at the end of fiscal year 1992; and up to \$244,300,000 of amounts of budget authority (and contract authority) reserved or obligated in prior years for the development or acquisition costs of public housing (including public housing for Indian families), for modernization of existing public housing projects (including such projects for Indian families), and, except as herein provided, for programs under section 8 of the Act (42 U.S.C. 1437f), which are recaptured during fiscal year 1993: *Provided further*, That, from the foregoing total of \$9,223,965,000, \$257,320,000 shall be for the development or acquisition cost of public housing for Indian families, including amounts for housing under the mutual help homeownership opportunity program under section 202 of the Act (42 U.S.C. 1437bb); \$400,000,000 shall be for the development or acquisition cost of public housing: *Provided further*, That of the \$9,223,965,000 total under this head, \$3,100,000,000 shall be for modernization of existing public housing projects pursuant to section 14 of the Act (42 U.S.C. 1437l), including \$4,750,000 for technical assistance and training under section 20 of the Act (42 U.S.C. 1437(r)) and \$10,500,000 for the inspection of modernization units and provision of management and technical assistance for troubled Public Housing Authorities and Indian Housing Authorities: *Provided further*, That of the \$9,223,965,000 total under this head, \$25,000,000 shall be for public housing family investment centers as authorized in section 22 of the Act: *Provided further*, That of the \$9,223,965,000 total under this head, \$600,750,000 shall be for the section 8 existing housing certificate program (42 U.S.C. 1437f): *Provided further*, That of the \$9,223,965,000 total provided under this head, \$75,000,000 shall be for the foster child care program authorized under section 8(x) of the Act: *Provided further*, That of the \$9,223,965,000 total pro-

vided under this head, \$581,750,000 shall be for the housing voucher program under section 8(o) of the Act (42 U.S.C. 1437f(o)); \$1,350,000,000 shall be for amendments to section 8 contracts other than contracts for projects developed under section 202 of the Housing Act of 1959, as amended, including \$70,000,000 which shall be for rental adjustments resulting from the application of an annual adjustment factor in accordance with section 801 of the Department of Housing and Urban Development Reform Act of 1989 (Public Law 101-235); \$600,000,000 shall be for assistance for State or local units of government, tenant and nonprofit organizations to purchase projects where owners have indicated an intent to prepay mortgages and for assistance to be used as an incentive to prevent prepayment or for vouchers to aid eligible tenants adversely affected by mortgage prepayment, as authorized in the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), and of the \$600,000,000 made available for such assistance, up to \$25,000,000 shall be for use by nonprofit organizations, pursuant to the Emergency Low Income Housing Preservation Act of 1987, as amended by the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), and for tenant and community-based nonprofit education, training and capacity building and the development of State and local preservation strategies; \$50,000,000 for assistance to families with children to move out of areas with high concentrations of persons living in poverty; \$93,032,000 shall be for section 8 assistance for property disposition; and \$202,000,000 shall be for loan management: *Provided further*, That any amounts of budget authority provided herein that are used for loan management activities under section 8(b)(1) (42 U.S.C. 1437f(b)(1)) shall be obligated for a contract term that is no less than five years: *Provided further*, That those portions of the fees for the costs incurred in administering incremental units assisted in the certificate and housing voucher programs under sections 8(b) and 8(o), respectively, shall be established or increased in accordance with the authorization for such fees in section 8(q) of the Act: *Provided further*, That 50 per centum of the amounts of budget authority, or in lieu thereof 50 per centum of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (Public Law 100-628, 102 Stat. 3224, 3268) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section: *Provided further*, That of the \$9,223,965,000 total, \$100,000,000 shall be for housing opportunities for persons with AIDS under title VIII, subtitle D of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625) and \$100,000,000 shall be for grants to States and units of general local government for the abatement of significant lead-based paint and lead dust hazards in low- and moderate-income owner-occupied units and low-income privately-owned rental units, of which \$2,000,000 shall be for lead-based paint abatement grants for technical assistance and evaluation studies: *Provided further*, That such grant funds shall be available only for projects conducted by contrac-

Grants.
Contracts.

tors certified and workers trained through a federally- or State-accredited program: *Provided further*, That, to be eligible for such grants, States and units of general local government must demonstrate the capability to identify significant-hazard housing units, to oversee the safe and effective conduct of the abatement, and to assure the future availability of abated units to low- and moderate-income persons: *Provided further*, That notwithstanding the language preceding the first proviso of this paragraph, \$260,000,000 shall be used for special projects in accordance with the terms and conditions specified for such grants in the committee of conference report and statement of the managers (H. Rept. 102-902) accompanying H.R. 5679: *Provided further*, That of the \$150,000,000 earmarked in Public Law 102-139 for special purpose grants (105 Stat. 736, 746), \$850,000 made available to the City of Lawrence, Massachusetts to purchase, remodel and equip a vacant Jewish Community Center building for use as a Girls' Club facility shall instead be made available to the Lawrence Boys' Club to remodel any building for use as a Girls' club facility: *Provided further*, That of the \$150,000,000 earmarked in Public Law 102-139 for special purpose grants (105 Stat. 736, 746), \$290,000 made available to Marquette, Michigan for communications and other equipment shall instead be made available for training and equipment to the Upper Peninsula Emergency Medical Services Corporation in Marquette County, Michigan for use throughout the Upper Peninsula of Michigan.

Of the \$9,223,965,000 total under this head, \$1,116,099,000 shall be for capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance, and amendments to contracts for project rental assistance, for supportive housing for the elderly under section 202(c)(2) of the Housing Act of 1959, as amended: *Provided further*, That any unreserved balances provided under this head in prior years for such purposes shall be merged with amounts provided herein: *Provided further*, That \$15,438,000 shall be for service coordinators pursuant to section 202(q) of the Housing Act of 1959, as amended. Of the \$9,223,965,000 total under this head, \$193,754,000 shall be for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625); and for project rental assistance, and amendments to contracts for project rental assistance, for supportive housing for persons with disabilities as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act.

ASSISTANCE FOR THE RENEWAL OF EXPIRING SECTION 8 SUBSIDY CONTRACTS

For assistance under the United States Housing Act of 1937 (42 U.S.C. 1437) not otherwise provided for, for use in connection with expiring section 8 subsidy contracts, \$6,346,135,000, to remain available until expended: *Provided*, That funds provided under this paragraph may not be obligated for a contract term that is less than five years: *Provided further*, That the Secretary may maintain consolidated accounting data for funds disbursed at the Public Housing Agency or Indian Housing Authority or project level for subsidy assistance regardless of the source of the disbursement so as to minimize the administrative burden of multiple accounts.

Further, for the foregoing purposes, \$450,000,000, to become available for obligation on October 1, 1993, and to remain available for obligation until expended.

For those projects in the State of Maine, the owners of which have converted their section 23 leased housing contracts (former section 23 of the Act, as amended by section 103(a), Housing and Urban Development Act of 1965, Public Law 89-117, 79 Stat. 451, 455) to section 8, the subsidy provided under the head "Assistance for the Renewal of Expiring Section 8 Subsidy Contracts" in Public Law 102-139 shall be for a five-year extension as if the projects were under the section 8 new construction program, except that section 8(c)(2)(C) shall not apply.

Notwithstanding any other provision of this Act, the amount appropriated under this heading for fiscal year 1993 shall be "\$6,076,135,000" and the amount under this heading for fiscal year 1994 shall be "\$720,000,000".

RENTAL HOUSING ASSISTANCE

(RESCISSION)

The limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under section 236 of the National Housing Act (12 U.S.C. 1715z-1) is reduced in fiscal year 1993 by not more than \$2,000,000 in uncommitted balances of authorizations provided for this purpose in appropriations Acts: *Provided*, That up to \$283,000,000 of recaptured loan management or section 236 budget authority resulting from the prepayment of mortgages subsidized under section 236 of the National Housing Act (12 U.S.C. 1715z-1) shall be rescinded in fiscal year 1993: *Provided further*, That to the extent that the recaptures and rescission during fiscal year 1993 are less than \$283,000,000, the total funding provided under the head "Annual contributions for assisted housing" and the budget authority provided in the seventh proviso under that head for assistance in connection with mortgage prepayments shall be reduced accordingly.

CONGREGATE SERVICES

For contracts with and payments to public housing agencies and nonprofit corporations for congregate services programs, \$21,000,000, to remain available until September 30, 1994, of which up to \$10,800,000 shall be for entities operating such programs in accordance with the provisions of the Congregate Services Act of 1978, as amended, and the balance shall be for such programs under section 802 of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625).

PAYMENTS FOR OPERATION OF LOW-INCOME HOUSING PROJECTS

For payments to public housing agencies and Indian housing authorities for operating subsidies for low-income housing projects as authorized by section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g), \$2,282,436,000.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance, not otherwise provided for, for providing counseling and advice to tenants and homeowners—both current and prospective—with respect to property maintenance, financial management, and such other matters as may be appropriate to assist them in improving their housing conditions and meeting the responsibilities of tenancy or homeownership, including provisions for training and for support of voluntary agencies and services as authorized by section 106(a)(1)(iii), section 106(a)(2), section 106(c), and section 106(d) of the Housing and Urban Development Act of 1968, as amended, \$6,025,000.

FLEXIBLE SUBSIDY FUND

For assistance to owners of eligible multifamily housing projects insured, or formerly insured, and under the National Housing Act, as amended, or which are otherwise eligible for assistance under section 201(c) of the Housing and Community Development Amendments of 1978, as amended (12 U.S.C. 1715z-1a), in the program of assistance for troubled multifamily housing projects under the Housing and Community Development Amendments of 1978, as amended, all uncommitted balances of excess rental charges as of September 30, 1992, and any collections and other amounts in the fund authorized under section 201(j) of the Housing and Community Development Amendments of 1978, as amended, during fiscal year 1993, to remain available until expended: *Provided*, That assistance to an owner of a multifamily housing project assisted, but not insured, under the National Housing Act may be made if the project owner and the mortgagee have provided or agreed to provide assistance to the project in a manner as determined by the Secretary of Housing and Urban Development.

FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 1993, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of \$57,146,000,000.

For administrative expenses necessary to carry out the guaranteed loan program, \$255,645,000, to be derived from the FHA-Mutual Mortgage Insurance Guaranteed Loans Receipt account, of which not to exceed \$249,542,000 shall be transferred to the appropriation for salaries and expenses; and of which not to exceed \$6,103,000 shall be transferred to the appropriation for the Office of Inspector General.

FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, \$104,652,000, as authorized by the National Housing Act, as amended (12 U.S.C. 1715z-3(b) and 1735c(f)): *Provided*, That such costs, including the cost of modifying such loans, shall be defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds

are available to subsidize total loan principal any part of which is to be guaranteed of not to exceed \$8,864,230,000.

In addition, for administrative expenses necessary to carry out the guaranteed loan programs, \$187,000,000, of which \$182,955,000 shall be transferred to the appropriation for salaries and expenses; and of which \$4,045,000 shall be transferred to the appropriation for the Office of Inspector General.

DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING

For grants to public housing agencies for use in eliminating drug-related crime in public housing projects authorized by 42 U.S.C. 11901-11908, and for drug information clearinghouse services authorized by 42 U.S.C. 11921-11925, \$175,000,000, to remain available until expended: *Provided*, That \$5,225,000 of the foregoing amount shall be available for grants, contracts, or other assistance for technical assistance and training for or on behalf of public housing agencies and resident organizations (including the costs of necessary travel for participants in such training): *Provided further*, That \$5,000,000 of the foregoing amount shall be made available for grants for a youth violence prevention in low-income housing program modeled on a program developed by the National Association of Neighborhoods: *Provided further*, That \$10,000,000 of the foregoing amount shall be made available for grants for federally-assisted, low-income housing.

Section 520 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 11903a) is amended—

- (1) in subsection (a), by striking "in" and insert "for residents of";
- (2) in subsection (b)(5), after "nonprofit organizations", by inserting "and institutions of higher learning"; and
- (3) in subsection (d)(3), after "cultural activities,", by inserting "transportation costs,".

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDES TRANSFER OF FUNDS)

During fiscal year 1993, new commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$77,700,000,000. For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, \$6,936,000, to be derived from the GNMA—Guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed \$6,936,000 shall be transferred to the appropriation for salaries and expenses.

HOMELESS ASSISTANCE

EMERGENCY SHELTER GRANTS PROGRAM

For the emergency shelter grants program, as authorized under subtitle B of title IV of the Stewart B. McKinney Homeless Assistance Act (Public Law 100-77), as amended, \$50,000,000, to remain available until expended.

TRANSITIONAL AND SUPPORTIVE HOUSING DEMONSTRATION PROGRAM

For the transitional and supportive housing demonstration program, as authorized under subtitle C of title IV of the Stewart B. McKinney Homeless Assistance Act (Public Law 100-77), as amended, \$150,000,000, to remain available until expended.

SECTION 8 MODERATE REHABILITATION

SINGLE ROOM OCCUPANCY

For assistance under the United States Housing Act of 1937, as amended (42 U.S.C. 1437f), for the section 8 moderate rehabilitation program, to be used to assist homeless individuals pursuant to section 441 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11401), \$105,000,000, to remain available until expended.

SHELTER PLUS CARE

For the Shelter Plus Care program, as authorized by subtitle F of title IV of the Stewart B. McKinney Homeless Assistance Act (Public Law 100-77), as amended, \$266,550,000, to remain available until expended.

The unexpended balances of the "Shelter Plus Care: Section 8 Moderate Rehabilitation, Single Room Occupancy" and "Shelter Plus Care: Section 202 Rental Assistance" programs, available from the appropriations enacted in Public Law 102-139, shall be added to and merged with the amount available under this heading.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT GRANTS

For grants to States and units of general local government and for related expenses, not otherwise provided for, necessary for carrying out a community development grants program as authorized by title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), \$4,000,000,000, to remain available until September 30, 1995: *Provided*, That \$40,000,000 shall be available for grants to Indian tribes pursuant to section 106(a)(1) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), and \$14,500,000 shall be available for "special purpose grants" pursuant to section 107 of such Act, and \$500,000 shall be available for a grant to demonstrate the feasibility of developing an integrated database system and computer mapping tool for compliance, programming, and evaluation of community development block grants pursuant to section 901 of the Cranston-Gonzalez National Affordable Housing Act of 1990: *Provided further*, That not to exceed 20 per centum of any grant made with funds appropriated herein (other than a grant using funds under section 107(b)(3) of such Act or funds set aside in the following proviso) shall be expended for "Planning and Management Development" and "Administration" as defined in regulations promulgated by the Department of Housing and Urban Development: *Provided further*, That \$5,000,000 shall be made available from the total amount provided to carry out an early childhood development program under section 222 of the Housing and Urban-Rural Recovery Act of 1983, as amended (12 U.S.C. 1701z-6 note).

Regulations.

During fiscal year 1993, total commitments to guarantee loans, as authorized by section 108 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), shall not exceed \$2,000,000,000 of contingent liability for loan principal: *Provided*, That \$1,700,000,000 of said amount shall become available only upon enactment into law of authorizing legislation.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, \$25,000,000, to remain available until September 30, 1994: *Provided*, That of the foregoing amount (1) \$1,000,000 shall be available for innovative building technologies research with the Research Center of the National Association of Home Builders, (2) \$1,000,000 shall be available for the National Commission on Manufactured Housing, (3) at least \$500,000 shall be for lead-based paint abatement research and studies, and (4) \$1,000,000 shall be for a study by the National Academy of Public Administration on HUD staffing and human resource management and requirements.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, \$15,000,000, to remain available until September 30, 1994: *Provided*, That not less than \$10,600,000 shall be available to carry out activities pursuant to section 561 of the Housing and Community Development Act of 1987.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary administrative and nonadministrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including not to exceed \$7,000 for official reception and representation expenses, \$892,000,000, of which \$432,497,000 shall be provided from the various funds of the Federal Housing Administration, and \$6,936,000 shall be provided from funds of the Government National Mortgage Association: *Provided*, That of the total amount, \$2,000,000 shall be available for the Housing Assistance Council and \$500,000 shall be available for the National American Indian Housing Council: *Provided further*, That of the total amount, \$1,000,000 and 20 staff years shall be for the Office of Lead-Based Paint Abatement and Poisoning Prevention, which shall be located within the Office of the Secretary:

Provided further, That not to exceed \$8,793,000 of the total amount provided under this heading shall be available for personnel compensation and benefits for the headquarters budget activity of Departmental Management, including not to exceed \$673,000 for travel expenses: *Provided further*, That not to exceed \$14,609,000 of the total amount provided under this heading shall be available for personnel compensation and benefits for the headquarters Office of General Counsel, including not to exceed \$259,000 for travel expenses: *Provided further*, That not to exceed \$8,717,000 of the total amount provided under this heading shall be available for personnel compensation and benefits for the headquarters Office of Policy Development and Research, including not to exceed \$141,000 for travel expenses.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$46,160,000, of which \$10,148,000 shall be transferred from the various funds of the Federal Housing Administration.

ADMINISTRATIVE PROVISIONS

For payment to Milton Residences for the Elderly, Inc., for development costs incurred in connection with the site for HUD Project No. 023-EH273 (Milton, MA) prohibited under Public Law 100-202 (101 Stat. 1329-190), \$226,000.

Massachusetts.
Grants.

Notwithstanding section 17(d)(4)(G) of the United States Housing Act of 1937, the City of Springfield, in the State of Massachusetts, shall not be required to return, and the Secretary of Housing and Urban Development may not recapture, any housing development grants awarded under section 17(d) of such Act to the city for use in connection with the Symphony Apartments housing development project (Project No. MA002HG701), if before October 1, 1993, the city (or any subgrantee) commences construction or substantial rehabilitation activities for which such amounts were made available.

Pennsylvania.
Grants.

Notwithstanding section 17(d)(4)(G) of the United States Housing Act of 1937 (as such section existed immediately before October 1, 1991), the City of Harrisburg, in the State of Pennsylvania, shall not be required to return, and the Secretary of Housing and Urban Development may not recapture, any housing development grants awarded under section 17(d) of such Act to the city for use in connection with the Washington Square Phase II housing development project (Project No. PA009HG701), if before October 1, 1993, the city (or any subgrantee) commences construction or substantial rehabilitation activities for which such amounts remain available.

Amounts made available for a housing development grant under section 17(a)(1)(B) of the United States Housing Act of 1937 for NJ 008-HG7-01 in Camden, New Jersey, shall be deemed to have been recaptured, and shall be made available during fiscal year 1993 for such project.

Contracts.
Oklahoma.
Loans.

The Oklahoma Department of Commerce is authorized to take all steps necessary to close out an agreement originally entered into by the Department and the City of Commerce, Oklahoma

(Contract No. 4511 CDBG ED 89) for the purpose of providing a loan through the Miami Area Economic Development Services, Inc., for Sac and Fox Industries to retain and create jobs for low- and moderate-income persons. Notwithstanding any other provision of law or other Department of Housing and Urban Development regulations and requirements, \$490,700 of funds appropriated for community development block grants and allocated to the State of Oklahoma or other funds available to the Secretary of Housing and Urban Development shall be used to close out said agreement. Furthermore, the Miami Area Economic Development Services, Inc., the City of Commerce, Oklahoma, and the Oklahoma Department of Commerce are relieved of all liability to the government for the outstanding balance, any amount of accrued interest, and any other fees and charges payable in connection with this transaction.

The provisions of title I, section 104(g)(2) of the Housing and Urban Development Act of 1974, as amended, are hereby waived for the following urban development action grant projects in the City of Youngstown, Ohio:

- (1) H. L. Libby parking deck—project #: B-87-AA-39-0319;
- (2) The Bitonte Medical Center—project #: B-86-AA-39-0321; and
- (3) The Erie Terminal Development Office Complex—project #: B-87-AA-39-0329.

During fiscal year 1993, notwithstanding any other provision of law, the number of individuals employed by the Department of Housing and Urban Development in other than "career appointee" positions in the Senior Executive Service shall not exceed 15.

Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall cancel the indebtedness of the Sunbright Utility District in Morgan County, Tennessee, relating to loan number TENN-PFL-43, and the Administrator of the Economic Development Administration shall cancel the indebtedness of the Sunbright Utility District in Morgan County, Tennessee, relating to loans numbered 040100-342-1 and 040100-342-2. The Sunbright Utility District in Morgan County, Tennessee, is relieved of all liability to the Government for the outstanding principal balance on such loans, for the amount of accrued interest on such loans, and for any other fees and charges payable in connection with such loans.

Section 213(e) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 1439(e)), is amended by striking "the Park Central New Community Project or in adjacent areas that are recognized by the unit of general local government in which such Project is located as being included within the Park Central New Town in Town Project" and inserting "Jefferson County, Texas"; and, notwithstanding the provisions of section 213(c) of such Act, of the budget authority set aside in section 213(e) of such Act, the Secretary shall enter into annual contributions contracts under section 8(b) of the United States Housing Act of 1937 with the Housing Authority of the City of Galveston, Galveston, Texas, for 18 units, with the Housing Authority for the City of Rockwall, Rockwall, Texas, for 36 units, and for the balance of such budget authority, with the Port Arthur Housing Authority, Port Arthur, Texas.

The first sentence of section 203(b)(2) of the National Housing Act (12 U.S.C. 1709(b)(2)) is amended to read as follows: "Involve

Government
employees.
Labor.

Sunbright
Utility District.
Tennessee.
Loans.

Contracts.
Texas.

a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Secretary shall approve) in an amount—

“(A) not to exceed the lesser of—

“(i) in the case of the 1-family residence, 95 percent of the median 1-family house price in the area (as determined by the Secretary); in the case of a 2-family residence, 107 percent of such median price; in the case of a 3-family residence, 130 percent of such median price; or in the case of a 4-family residence, 150 percent of such median price; or

“(ii) 75 percent of the dollar amount limitation determined under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (as adjusted annually under such section) for a residence of the applicable size;

except that the applicable dollar amount limitation in effect for any area under this subparagraph (A) may not be less than the dollar amount limitation in effect under this section for the area on May 12, 1992; and

“(B) except as otherwise provided in this paragraph (2), not to exceed an amount equal to the sum of—

“(i) 97 percent of \$25,000 of the appraised value of the property, as of the date the mortgage is accepted for insurance;

“(ii) 95 percent of such value in excess of \$25,000 but not in excess of \$125,000; and

“(iii) 90 percent of such value in excess of \$125,000.”.

The second sentence of section 2(b)(2) of the National Housing Act (12 U.S.C. 1703(b)(2)) is amended by striking “but not” and all that follows through “203(b)(2)” and inserting “but in no case may such limits, as so increased, exceed the lesser of (A) 185 percent of the dollar amount specified, or (B) the dollar amount specified as increased by the same percentage by which 95 percent of the median one-family house price in the area (as determined by the Secretary) exceeds \$67,500”.

Section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)) is amended by striking “for a 1-family residence” and inserting “for 1-family residences in the area in which the dwelling subject to the mortgage under this section is located”.

FEDERAL DEPOSIT INSURANCE CORPORATION.—

(1) ELIGIBLE CONDOMINIUM PROPERTY.—Section 40(p)(4) of the Federal Deposit Insurance Act (12 U.S.C. 1831q(p)(4)) is amended by striking subparagraph (B) and inserting the following new subparagraph:

“(B) that has an appraised value that does not exceed the applicable dollar amount specified in the first sentence of section 203(b)(2) of the National Housing Act, as such dollar amount is increased on an area-by-area basis under such section for areas with high prevailing housing sales prices, except that for purposes of this paragraph no such increase may exceed 150 percent of the dollar amount specified in section 203(b)(2).”.

(2) ELIGIBLE MULTIFAMILY HOUSING PROPERTY.—Section 40(p)(5) of the Federal Deposit Insurance Act (12 U.S.C. 1831q(p)(5)) is amended by striking subparagraph (B) and inserting the following new subparagraph:

“(B) that has an appraised value that does not exceed the applicable dollar amount specified in section 221(d)(3)(ii) of the National Housing Act for elevator-type structures, as such dollar amount is increased under such section for geographical areas or on a project-by-project basis (except that any such increase on a project-by-project basis shall be made pursuant to a determination by the Corporation that such increase is necessary).”

(3) ELIGIBLE SINGLE FAMILY PROJECT.—Section 40(p)(7) of the Federal Deposit Insurance Act (12 U.S.C. 1831q(p)(7)) is amended by striking subparagraph (B) and inserting the following new subparagraph:

“(B) that has an appraised value that does not exceed the applicable dollar amount specified in the first sentence of section 203(b)(2) of the National Housing Act, as such dollar amount is increased on an area-by-area basis under such section for areas with high prevailing housing sales prices, except that for purposes of this paragraph no such increase may exceed 150 percent of the dollar amount specified in section 203(b)(2).”

Section 2(b)(1) of the National Housing Act (12 U.S.C. 1703(b)(1)) is amended by striking subparagraphs (C), (D), and (E) and inserting the following new subparagraphs:

“(C) 70 percent of the median 1-family house price in the area, as determined by the Secretary under section 203(b)(2), if made for the purpose of financing the purchase of a manufactured home;

“(D) 80 percent of the median 1-family house price in the area, as determined by the Secretary under section 203(b)(2), if made for the purpose of financing the purchase of a manufactured home and a suitably developed lot on which to place the home;

“(E) the greater of (i) 20 percent of the median 1-family house price in the area, as determined by the Secretary under section 203(b)(2), or (ii) \$13,500, if made for the purpose of financing the purchase, by an owner of a manufactured home which is the principal residence of the owner, of a suitably developed lot on which to place that manufactured home, and if the owner certifies that the owner will place the manufactured home on the lot acquired with such loan within 6 months after the date of such loan;”

Section 203(b)(2) of the National Housing Act (12 U.S.C. 1709(b)(2)) is amended by inserting after the period at the end the following new sentence: “Notwithstanding the authority of the Secretary to establish the terms of insurance under this section and approve the initial service charges, appraisal, inspection, and other fees (and subject to any other limitations under this section on the amount of a principal obligation), the Secretary may not (by regulation or otherwise) limit the percentage or amount of any such approved charges and fees that may be included in the principal obligation of a mortgage.”

Notwithstanding any other provision of this or any other Act with respect to any fiscal year, the Office of Lead-Based Paint Abatement and Poisoning Prevention shall be contained within the Office of the Secretary, and said Office shall have ultimate responsibility within the Department of Housing and Urban Development.

Government
organization.
42 USC 3532
note.

opment, except for the Secretary, for all matters related to the abatement of lead in housing, and research related to lead abatement, consistent with the responsibilities outlined for the Office in Senate Report 102-107.

Notwithstanding section 571(b) of the National Affordable Housing Act of 1990, the Department shall revise its fiscal year 1992 notice of fund availability for public housing development/major reconstruction of obsolete projects (Federal Register, June 18, 1992, 27330 et seq.) so that there contains no limitation on the amount of these funds available for public housing replacement activities.

Federal
Register,
publication.

The fair market rentals for the Salt Lake City—Ogden, Utah, metropolitan statistical area that took effect as of October 1, 1991 (56 Fed. Reg. 49024, 49072, September 26, 1991) shall remain in effect until October 1, 1993, notwithstanding the requirements of section 8(c)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437f) or any publication in the Federal Register in implementation of such section.

With respect to two projects of the United Cerebral Palsy of New Jersey, Inc., which are located in Newark and Teaneck, New Jersey, and are to be assisted under section 811 (project numbers 031-EH244/NJ39-T881-001 and 031-EH231), the Secretary of Housing and Urban Development shall extend the fund reservations for a reasonable period sufficient to permit final closing to take place and shall increase the reservation of project rental assistance to an amount sufficient to cover the reasonable operating expenses of these projects.

Rehabilitation activities undertaken by the Committee for Dignity and Fairness for the Homeless Housing Development, Inc., in connection with 46 dwelling units that were renovated for permanent housing for the homeless and that are located in Philadelphia, Pennsylvania, shall be deemed to have been conducted pursuant to an agreement with the Secretary of Housing and Urban Development under clause (ii) of the third sentence of section 8(d)(2)(A) of the United States Housing Act of 1937 (42 U.S.C. 1437f(d)(2)(A)).

Notwithstanding any other provision of the law, the Secretary of Housing and Urban Development shall immediately forego and forbear from all efforts to recapture funding, by means of offset or reduction, against current or future subsidy, or other means, from the Housing Authority of the City of Seattle based on a finding pertaining to tenant utility allowances contained in the Office of Inspector General Report 86-SE-201-1003, dated February 21, 1986, and shall restore any funds previously recaptured.

Mississippi.
Loans.

The Secretary of Housing and Urban Development shall cancel the indebtedness of the town of McLain, Mississippi, relating to the public facilities loan (Project No. MIS-22-PFL0094). The town of McLain, Mississippi, is relieved of all liability to the Government for the outstanding principal balance on such loan, for the amount of accrued interest on such loan, and for any other fees and charges payable in connection with such loan.

TITLE III

INDEPENDENT AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; and insurance of official motor vehicles in foreign countries, when required by law of such countries; \$19,318,000, to remain available until expended: *Provided*, That where station allowance has been authorized by the Department of the Army for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the Armed Forces assigned to the Commission while serving at the same foreign stations, and this appropriation is hereby made available for the payment of such allowance: *Provided further*, That when traveling on business of the Commission, officers of the Armed Forces serving as members or as Secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission: *Provided further*, That the Commission shall reimburse other Government agencies, including the Armed Forces, for salary, pay, and allowances of personnel assigned to it: *Provided further*, That section 509 of the general provisions carried in title V of this Act shall not apply to the funds provided under this heading: *Provided further*, That not more than \$125,000 of the private contributions to the Korean War Memorial Fund may be used for administrative support of the Korean War Veterans Memorial Advisory Board including travel by members of the board authorized by the Commission, travel allowances to conform to those provided by Federal Travel regulations.

36 USC 121b.

36 USC 122.

36 USC 122a.

COMMISSION ON NATIONAL AND COMMUNITY SERVICE

SALARIES AND EXPENSES

For necessary salaries and expenses of the Commission on National and Community Service under subtitle G of title I of the National and Community Service Act of 1990 (Public Law 101-610), \$2,500,000.

PROGRAMS AND ACTIVITIES

For use in carrying out the programs, activities and initiatives under subtitles B through F of title I of the National and Community Service Act of 1990 (Public Law 101-610), \$73,000,000.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS-18, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed \$500 for official reception and representation expenses, \$48,400,000: *Provided*, That funds shall not be available for the personnel compensation and benefits of more than three Commissioners of the Consumer Product Safety Commission for fiscal year 1993 and thereafter: *Provided further*, That of the funds provided under this heading, \$6,300,000 shall be for the relocation of the headquarters staff of the Commission and shall be available until expended.

15 USC 2053
note.

COURT OF VETERANS APPEALS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Veterans Appeals as authorized by 38 U.S.C. sections 7251-7292, \$8,480,000: *Provided*, That such sum shall be available without regard to section 509 of this Act.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of three passenger motor vehicles for replacement only, and not to exceed \$1,000 for official reception and representation expenses; \$13,033,000, to remain available until expended.

ENVIRONMENTAL PROTECTION AGENCY

RESEARCH AND DEVELOPMENT

For research and development activities, including procurement of laboratory equipment, supplies, and other operating expenses in support of research and development, \$323,000,000, to remain available until September 30, 1994: *Provided*, That not more than \$48,067,000 of these funds shall be available for procurement of laboratory equipment, supplies, and other operating expenses in support of research and development; and construction, alteration, repair, rehabilitation and renovation of facilities, not to exceed \$75,000 per project.

ABATEMENT, CONTROL, AND COMPLIANCE

For abatement, control, and compliance activities, including hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies

or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project; and not to exceed \$6,000 for official reception and representation expenses; \$1,318,965,000, to remain available until September 30, 1994: *Provided*, That not more than \$274,000,000 of these funds shall be available for administrative expenses: *Provided further*, That none of the funds appropriated under this head shall be available to the National Oceanic and Atmospheric Administration pursuant to section 118(h)(3) of the Federal Water Pollution Control Act, as amended: *Provided further*, That none of these funds may be expended for purposes of Resource Conservation and Recovery Panels established under section 2003 of the Resource Conservation and Recovery Act, as amended (42 U.S.C. 6913), or for support to State, regional, local, and interstate agencies in accordance with subtitle D of the Solid Waste Disposal Act, as amended, other than section 4008(a)(2) or 4009 (42 U.S.C. 6948, 6949): *Provided further*, That from funds appropriated under this heading, the Administrator may make grants to federally recognized Indian governments for the development of multimedia environmental programs.

ABATEMENT, CONTROL, AND COMPLIANCE LOAN PROGRAM ACCOUNT

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, including the cost of modifying loans, of direct loans under the Asbestos School Hazard Abatement Act, as amended, \$30,225,000: *Provided*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$70,500,000.

In addition, for administrative expenses necessary to carry out the implementation of the Asbestos School Hazard Abatement Act, \$1,000,000.

PROGRAM AND RESEARCH OPERATIONS

For necessary expenses, not otherwise provided for, for personnel compensation and benefit costs and for travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS-18; \$823,607,000: *Provided*, That none of these funds may be expended for purposes of Resource Conservation and Recovery Panels established under section 2003 of the Resource Conservation and Recovery Act, as amended (42 U.S.C. 6913): *Provided further*, That if the agency determines that it would be more cost effective and less disruptive of accomplishing the agency's mission in issuing a new research support contract, after the agency has notified the appropriate committees of the Congress, not more than \$10,000,000 of the amount appropriated herein may be made available for personnel compensation and benefits and travel of additional personnel (on a temporary or permanent basis) needed to replace contract services at the agency's environmental research laboratories.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project, \$42,799,000, of which \$15,770,000 shall be derived from the Hazardous Substance Superfund trust fund and \$610,000 shall be derived from the Leaking Underground Storage Tank trust fund.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment for facilities of, or use by, the Environmental Protection Agency, \$134,300,000, to remain available until expended: *Provided*, That \$10,000,000 of the foregoing amount shall be made available as a grant to Columbia University for construction of a facility to be used for environmental health science research, such facility to be constructed and owned by Columbia University: *Provided further*, That \$12,500,000 shall be available as a grant to the Christopher Columbus Center Development, Inc. for planning, design and construction of the Christopher Columbus Center of Marine Research and Exploration in Baltimore, Maryland: *Provided further*, That notwithstanding any other provision of law, the Environmental Protection Agency is authorized to plan, design, and acquire land to establish a consolidated laboratory facility to replace and house the Central Regional Laboratory, Annapolis, Maryland, and the Analytical Chemistry and Microbiology Laboratory, Beltsville, Maryland, including the authority to accept, by permit or no-cost transfer from Federal entities, or by donation from State and local entities, available real property: *Provided further*, That \$1,000,000 of the amount provided herein shall be for a grant to the University of Maine for the construction of the Maine Quaternary Studies Institute: *Provided further*, That \$5,000,000 of the amount provided herein shall be for a grant to the University of Utah for the design, construction, and equipping of an intermountain regional network and scientific computation center.

OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, \$20,000,000, to be derived from the Oil Spill Liability Trust Fund, and to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111 (c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project; \$1,573,528,000, consisting of \$1,323,528,000 as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101-508, and \$250,000,000 as a payment from general revenues to the

Hazardous Substance Superfund as authorized by section 517(b) of SARA, as amended by Public Law 101-508, plus sums recovered on behalf of the Hazardous Substance Superfund in excess of \$201,120,000 during fiscal year 1993, with all of such funds, to remain available until expended: *Provided*, That notwithstanding any other provision of law, such sums as may be necessary shall be available, from within available funds, for a cooperative agreement to demonstrate the use of the latest gas-phase thermo-chemical technology for the remediation of a municipal landfill located on a river island: *Provided further*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That notwithstanding section 111(m) of CERCLA or any other provision of law, not to exceed \$60,036,000 of the funds appropriated under this heading shall be available to the Agency for Toxic Substances and Disease Registry to carry out activities described in sections 104(i), 111(c)(4), and 111(c)(14) of CERCLA and section 118(f) of the Superfund Amendments and Reauthorization Act of 1986: *Provided further*, That none of the funds appropriated under this heading shall be available for the Agency for Toxic Substances and Disease Registry to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 1993: *Provided further*, That no more than \$260,000,000 of these funds shall be available for administrative expenses of the Environmental Protection Agency.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project, \$75,000,000, to remain available until expended: *Provided*, That no more than \$7,200,000 shall be available for administrative expenses.

STATE REVOLVING FUNDS/CONSTRUCTION GRANTS

For necessary expenses to carry out the purposes of the Federal Water Pollution Control Act, as amended, and the Water Quality Act of 1987, \$2,550,000,000, to remain available until expended, of which \$1,927,500,000 shall be for title VI of the Federal Water Pollution Control Act, as amended; \$16,500,000 shall be for making grants authorized under section 104(b)(3) of the Federal Water Pollution Control Act, as amended; \$50,000,000 shall be for making grants authorized under section 319 of the Federal Water Pollution Control Act, as amended; \$32,500,000 shall be for section 510 of the Water Quality Act of 1987 and none of the funds appropriated in this or any other Act to the Environmental Protection Agency may be used for making grants authorized under such section that exceed a total of \$239,400,000, and the Administrator of the Environmental Protection Agency shall take no action to obligate any funds under such section if the impact on the total program cost to the Environmental Protection Agency of such action would exceed \$239,400,000; \$305,500,000 shall be for making grants under title II of the Federal Water Pollution Control Act, as amended, to the appropriate instrumentality for the purpose of constructing secondary sewage treatment facilities to serve the following local-

ities, and in the amounts indicated: Boston, Massachusetts, \$100,000,000; New York, New York, \$70,000,000; Los Angeles, California, \$55,000,000; San Diego, California, \$45,500,000; and Seattle, Washington, \$35,000,000; and notwithstanding any other provision of law, \$82,000,000 shall be available for Rouge River National Wet Weather Demonstration Project grants, not to exceed 85 per centum of total project costs, to be awarded by the Administrator, who is authorized to make such grants to Wayne County, Michigan, such grants to be for the construction of sanitary sewers and retention basins, for the repair and maintenance of wastewater treatment plants and collection systems, and for the investigation of commercial and industrial facilities and storm sewer connections to implement the Rouge River National Demonstration Project for Wet Weather Flows; and notwithstanding any other provision of law, \$40,000,000 shall be for making grants under title II of the Federal Water Pollution Control Act, as amended, to the appropriate instrumentality for the purpose of constructing advanced sewage treatment facilities to serve Baltimore, Maryland, in furtherance of the objectives of the Chesapeake Bay Agreement; and notwithstanding any other provision of law, \$19,000,000 shall be for making a grant under title II of the Federal Water Pollution Control Act, as amended, to the Ocean County Utilities Authority, in the State of New Jersey for necessary modifications and replacements to the Carver-Greenfield sewage treatment plant; and notwithstanding any other provision of law, \$7,000,000 shall be for making a grant under title II of the Federal Water Pollution Control Act, as amended, to the appropriate instrumentality for necessary work to remove and reroute the existing sewer lines at the Centennial Olympic Stadium site in the City of Atlanta, Georgia; \$50,000,000 shall be for grants to the State of Texas, which is to be matched by an equal amount of State funds from State sources, for the purpose of improving wastewater treatment in colonias in that State, including \$2,000,000 for planning and design; \$10,000,000 shall be for a grant to the State of New Mexico for the purpose of improving wastewater treatment in colonias in that State; and \$10,000,000 shall be for a grant to the State of Arizona for an interceptor/collection system in the city of Avondale, Arizona; and notwithstanding any other provision of law, from sums previously appropriated under this heading for grants under title II of the Federal Water Pollution Control Act, as amended, and reserved by the South Dakota Department of Environment and Natural Resources, the Administrator shall make a grant, not to exceed 55 per centum of total project costs, to the Town of Pollock, South Dakota for necessary reconstruction of Pollock's wastewater treatment facility, consistent with the approved facility plan of October 1990; and sums heretofore, herein or hereafter appropriated under this heading for the District of Columbia, either allotted for title VI capitalization grants and pursuant to Public Law 101-144 as amended by Public Law 101-302 authorized to be used for title II construction grants, or title II construction grants, may be used for title II construction grants for any activities eligible under title VI, and the limitations contained in sections 201(g)(1) and 204(a)(5) of the Federal Water Pollution Control Act, as amended, do not apply to these grants: *Provided*, That of the funds appropriated for the State Revolving Fund under title VI of the Federal Water Pollution Control Act, as amended, up to one-half of 1 percent may be made available by the Administrator for direct grants to Indian tribes

for construction of wastewater treatment facilities for fiscal year 1993 and thereafter.

Notwithstanding any other provision of the Federal Water Pollution Control Act, as amended, or this Act, \$80,000,000 of fiscal years 1992 and 1993 funds for San Diego allocation for coastal cities shall be available only for the construction of the San Diego wastewater treatment facilities included in the consent decree lodged in the *United States and California v. City of San Diego*, Civil Action #88-1101 (S.D. Cal.). The extension of the Point Loma outfall for which a certified EIR has been reviewed by EPA, and for which construction has begun, shall be eligible for funding. The Federal share for construction of these projects will be 55 per centum. Nothing in this provision shall be interpreted or is intended to modify commitments made by the City of San Diego in the above referenced consent decree. Notwithstanding any provision of the Federal Water Pollution Control Act, the City of San Diego shall be entitled to retain all funds received under EPA construction grant C-06-03014-110.

Notwithstanding section 307(b)(1) of the Federal Water Pollution Control Act, the following limitation to the Gulf Coast Waste Disposal Authority on applicability of pretreatment standards shall apply:

(a) If the conditions of subsection (b) are met, the pretreatment standards promulgated pursuant to section 307(b)(1) of the Federal Water Pollution Control Act shall not apply with respect to any treatment works operated by Gulf Coast Waste Disposal Authority and industrial users of such works.

(b) Subsection (a) shall only be in effect with respect to a treatment works if—

(1) the mass removal of pollutants by such works is equivalent to the removal which would be achieved if the industrial users of such works discharged such pollutants into waters of the United States other than through a publicly owned treatment works and such discharges complied with applicable effluent limitations; and

(2) the Gulf Coast Waste Disposal Authority has, and is in compliance with, a permit issued under section 402 of the Federal Water Pollution Control Act containing sludge quality numerical limitations for each of the pollutants for which such limitations are established and which would otherwise be required to be treated under the pretreatment standards established under section 307(b) of such Act (or where numerical limitations are not available, a design, equipment, management practice, operational standard, or combination thereof for each such pollutant) developed in accordance with the applicable requirements of section 405(d) of such Act.

Notwithstanding any other provision of law, the Administrator shall make a grant of up to \$2,500,000 under title II of the Federal Water Pollution Control Act, as amended, from funds deobligated by and available to the State of Florida under section 205 of the Act to Dixie County, Florida, for a publicly-owned treatment works for the community of Suwannee, Florida: *Provided*, That the geographic scope of the advanced water treatment project specified and supported from funds appropriated under this heading may be modified as deemed necessary and appropriate after advanced notification to the Appropriations Committees.

ADMINISTRATIVE PROVISIONS

Business and
industry.
Women.
Disadvantaged.
Contracts.
42 USC 4370d.

The Administrator of the Environmental Protection Agency shall, hereafter, to the fullest extent possible, ensure that at least 8 per centum of Federal funding for prime and subcontracts awarded in support of authorized programs, including grants, loans, and contracts for wastewater treatment and leaking underground storage tanks grants, be made available to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals (within the meaning of section 8(a) (5) and (6) of the Small Business Act (15 U.S.C. 637(a) (5) and (6))), including historically black colleges and universities. For purposes of this section, economically and socially disadvantaged individuals shall be deemed to include women.

Government
employees.
Labor.

During fiscal year 1993, notwithstanding any other provision of law, average employment in the headquarter's offices of the Environmental Protection Agency shall not exceed: (1) 56 workyears for the Immediate Office of the Administrator; (2) 45 workyears for the Office of Congressional and Legislative Affairs; (3) 78 workyears for the Office of Communications, Education, and Public Affairs; (4) 192 workyears for the Office of General Counsel; and (5) 1,477 workyears for the Office of Administration and Resources Management, of which 120 workyears shall be for contract management activities.

MARINE SCIENCE CENTER

Oregon.
Real property.
Federal
buildings and
facilities.

The United States of America, acting through the Environmental Protection Agency, will donate its library facility located on the Marine Science Center, Oregon State University, Newport, Oregon to the University. Notwithstanding any other provision of law, within 60 days after the effective date of this legislation and without any further action by either party or future liability on the part of the Government, EPA will quitclaim the foresaid library together with the underlying land and related real and personal property to the University. No other portion of Government property is to be included in this donation.

POLLUTION PREVENTION ACT IMPLEMENTATION

Notwithstanding the Paperwork Reduction Act of 1980 or any requirements thereunder the Environmental Protection Agency Toxic Chemical Release Inventory Form R and instructions, revised 1991 version issued May 19, 1992, and related requirements (OMB No. 2070-0093), shall be effective for reporting under section 6607 of the Pollution Prevention Act of 1990 (Public Law 101-508) and section 313 of the Superfund Amendments and Reauthorization Act of 1986 (Public Law 99-499) until such time as revisions are promulgated pursuant to law.

EXTENDING COMMENT PERIOD FOR REVISIONS TO CERTAIN
HAZARDOUS WASTE RULES

Regulations.
Effective date.

Funds appropriated or transferred to EPA may be used to develop revisions to 40 CFR 261.3, as reissued on March 3, 1992, published at 57 Fed. Reg. 7628 et seq. EPA shall promulgate revisions to paragraphs (a)(2)(iv) and (c)(2)(i) of 40 CFR 261.3, as reissued on March 3, 1992, by October 1, 1994, but any revisions to such paragraphs shall not be promulgated or become effective

prior to October 1, 1993. Notwithstanding paragraph (e) of 40 CFR 261.3, as reissued on March 3, 1992, paragraphs (a)(2)(iv) and (c)(2)(i) of such regulations shall not be terminated or withdrawn until revisions are promulgated and become effective in accordance with the preceding sentence. The deadline of October 1, 1994 shall be enforceable under section 7002 of the Solid Waste Disposal Act.

PROVIDING FOR A STUDY OF METALS RECOVERY

Funds appropriated or transferred to the Environmental Protection Agency shall be used in part to conduct a study on the effect of existing regulations on efforts to recover metals from the Nation's wastes, how such metals recovery can be best encouraged, and how the materials should be regulated in order to protect human health and the environment and to effectuate the resource conservation and recovery goals of the Resource Conservation and Recovery Act. In doing so, EPA shall consult with the Secretary of Commerce, the Secretary of the Interior, the metals recovery industry, and other interested parties.

The Administrator shall complete the study not later than April 28, 1993. Upon completion of the study, the Administrator shall prepare a summary of the findings of the study and any recommendations resulting from such study, to the Committee on Environment and Public Works of the United States Senate and the Committee on Energy and Commerce of the United States House of Representatives.

Reports.

SOLID WASTE DISPOSAL ACT

No funds appropriated to the Environmental Protection Agency for fiscal year 1993 may be expended for the promulgation, implementation, or enforcement of any regulation under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) concerning process wastewater from phosphoric acid production and phosphogypsum from phosphoric acid production. The preceding sentence shall not apply to the regulation of those wastes under sections 3007, 3013, and 7003 of that Act (42 U.S.C. 6927, 6934, and 6973, respectively).

EXXON VALDEZ SETTLEMENT FUND

Such sums provided for the Environmental Protection Agency under the Exxon Valdez settlement shall be credited during fiscal year 1993 and thereafter to the Exxon Valdez Settlement Fund established by this heading and shall remain available until expended for environmental restoration activities by the Environmental Protection Agency to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the Federal Water Pollution Control Act, as amended by the Oil Pollution Control Act of 1990, and other appropriate authorities of the Administrator.

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses of the Council on Environmental Quality and the Office of Environmental Quality, in carrying out their

functions under the National Environmental Policy Act of 1969 (Public Law 91-190), the Environmental Quality Improvement Act of 1970 (Public Law 91-224), and Reorganization Plan No. 1 of 1977, including not to exceed \$875 for official reception and representation expenses, and hire of passenger motor vehicles, \$2,560,000: *Provided*, That the Council on Environmental Quality and Office of Environmental Quality shall reimburse other agencies for not less than one-half of the personnel compensation costs of individuals detailed to it.

NATIONAL SPACE COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Space Council, including services as authorized by 5 U.S.C. 3109; \$1,591,000, of which not to exceed \$1,000 may be for official reception and representation expenses: *Provided*, That the National Space Council shall reimburse other agencies for not less than one-half of the personnel compensation costs of individuals detailed to it.

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, not to exceed \$2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, \$6,225,000: *Provided*, That the Office of Science and Technology Policy shall reimburse other agencies for not less than one-half of the personnel compensation costs of individuals detailed to it: *Provided further*, That the Office of Science and Technology Policy may award grants and enter into cooperative agreements with qualified recipients to further science, technology development, education, and other purposes.

THE POINTS OF LIGHT FOUNDATION

For necessary expenses for carrying out title III of the National and Community Service Act of 1990 (Public Law 101-610), relating to The Points of Light Foundation's promotion of social problem-solving through voluntary community service, \$5,000,000.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the functions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$292,095,000, of which not to exceed \$95,000 may be transferred to the disaster assistance direct loan program account for administrative expenses and subsidies for direct loans provided under section 319 of such Act, to remain available until expended.

Chapter X of title XI of the Dire Emergency Supplemental Appropriations Act, 1992, Including Disaster Assistance to Meet

the Present Emergencies Arising from the Consequences of Hurricane Andrew, Typhoon Omar, Hurricane Iniki, and Other Natural Disasters, and Additional Assistance to Distressed Communities (H.R. 5620) is amended by (1) striking the matter under the heading "Disaster relief" and inserting in lieu thereof: "For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, \$2,893,000,000, of which not to exceed \$50,000,000 may be transferred to the 'Disaster Assistance Direct Loan Program' account for administrative expenses and subsidies for direct loans provided under section 417 of such Act, and of which \$143,000,000 shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended." and (2) striking the matter under the heading "Disaster assistance direct loan program account" and inserting in lieu thereof: "The limitation on direct loans for the 'Disaster assistance direct loan program account' is increased, within existing funds, by \$230,000,000 to not to exceed \$258,000,000: *Provided further*, That not to exceed \$58,000,000 is available for direct loan obligations provided to eligible applicants or to States under section 319 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act, as amended: *Provided further*, That not to exceed \$200,000,000 is available for community disaster loans to local governments under section 417 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act, as amended: *Provided further*, That any unused portion of the direct loan limitation shall be available until September 30, 1993: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended."

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

Funds provided to this account are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$40,000,000.

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, including hire and purchase of motor vehicles (31 U.S.C. 1343); uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS-18; expenses of attendance of cooperating officials and individuals at meetings concerned with the work of emergency preparedness; transportation in connection with the continuity of Government programs to the same extent and in the same manner as permitted the Secretary of a Military Department under 10 U.S.C. 2632; and not to exceed \$2,500 for official reception and representation expenses, \$160,409,000: *Provided*, That up to \$1,000,000 of the

funds appropriated under this heading may be transferred to and merged with sums appropriated for "Office of Inspector General".

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$3,000,000.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For necessary expenses, not otherwise provided for, to carry out activities under the National Flood Insurance Act of 1968, as amended, and the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.), the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2251 et seq.), the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), section 103 of the National Security Act (50 U.S.C. 404), and Reorganization Plan No. 3 of 1978, \$253,243,000.

EMERGENCY FOOD AND SHELTER PROGRAM

There is hereby appropriated \$129,000,000 to the Federal Emergency Management Agency to carry out an emergency food and shelter program pursuant to title III of Public Law 100-77, as amended: *Provided*, That total administrative costs shall not exceed three and one-half per centum of the total appropriation.

NATIONAL FLOOD INSURANCE FUND

(TRANSFERS OF FUNDS)

Of the funds available from the National Flood Insurance Fund for activities under the National Flood Insurance Act of 1968, and the Flood Disaster Protection Act of 1973, \$13,978,000 shall be transferred as needed to the "Salaries and expenses" appropriation for administrative costs of the insurance and flood plain management programs and \$48,092,000 shall be transferred as needed to the "Emergency management planning and assistance" appropriation for flood plain management activities, including \$4,720,000 for expenses under section 1362 of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4103, 4127), which amount shall be available until September 30, 1994. In fiscal year 1993, no funds in excess of (1) \$32,000,000 for operating expenses, (2) \$221,000,000 for agents' commissions and taxes, and (3) \$3,500,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund without prior notice to the Committees on Appropriations.

ADMINISTRATIVE PROVISIONS

Regulations.

The Director of the Federal Emergency Management Agency shall promulgate through rulemaking a schedule of fees applicable to persons subject to the Federal Emergency Management Agency's Radiological Emergency Preparedness regulations. The aggregate charges assessed pursuant to this section during fiscal year 1993

shall approximate, but not be less than, 100 per centum of the amounts anticipated by the Federal Emergency Management Agency to be obligated for its Radiological Emergency Preparedness program. The schedule of fees shall be fair and equitable, and shall reflect the full amount of direct and indirect costs incurred through the provision of regulatory services. Such fees will be assessed in a manner that reflects the use of agency resources for classes of regulated persons and the administrative costs of collecting such fees. Fees received pursuant to this section shall be deposited in the general fund of the Treasury as offsetting receipts. Assessment and collection of such fees are only authorized during fiscal year 1993.

The Federal Emergency Management Agency may store, stockpile, or access stocks of Meals, Ready-to-Eat (MREs) declared surplus by the Department of Defense, or otherwise made available, for the purpose of providing assistance in situations of disaster or emergency. In addition, the Federal Emergency Management Agency may make available, at the discretion of the Director, MRE stocks to the Interagency Council on the Homeless for purposes of domestic, civilian assistance.

Notwithstanding any other provision of law, no funds provided in this Act or in any other Act for the Federal Emergency Management Agency may be used for the purpose of chauffeuring employees.

By the end of fiscal year 1993, notwithstanding any other provision of law, the number of individuals employed by the Federal Emergency Management Agency in other than "career appointee" positions shall not exceed 22.

During fiscal year 1993, notwithstanding any other provision of law, average employment in the headquarter's offices of the Federal Emergency Management Agency shall not exceed: (1) 6 workyears for the Office of the Director, (2) 22 workyears for the Office of General Counsel, (3) 192 workyears for the Office of the Executive Director, (4) 90 workyears for Financial Management, (5) 25 workyears for Information Services, (6) 5 workyears for Regional Liaison, (7) 105 workyears for Regional Executive Direction, and (8) 20 workyears for External Affairs.

Notwithstanding any other law, nonsupervisory employees of the Federal Emergency Management Agency may not be excluded from coverage under chapter 71 of title 5, and such employees shall be eligible to participate in collective bargaining under such chapter.

Notwithstanding any other provision of this or any other Act with respect to any fiscal year, the Hazardous Materials Branch of the Office of Technological Hazards, and all funds and staff years provided to it by this Act, shall be transferred from the State and Local Programs and Support Directorate to the United States Fire Administration within 90 days of the enactment of this Act.

The Director of the Federal Emergency Management Agency shall undertake a review of the agency's organizational structure and, within 180 days of enactment of this Act, submit to the appropriate committees of the Congress a reorganization plan which reflects changing mission requirements and priorities. The review shall include an assessment of the National Preparedness Directorate and examine potential alternatives to meet that directorate's principal objectives while increasing overall agency efficiency.

Government
employees.
Labor.

GENERAL SERVICES ADMINISTRATION

CONSUMER INFORMATION CENTER

For necessary expenses of the Consumer Information Center, including services authorized by 5 U.S.C. 3109, \$2,026,000, to be deposited into the Consumer Information Center Fund: *Provided*, That the appropriations, revenues and collections deposited into the fund shall be available for necessary expenses of Consumer Information Center activities in the aggregate amount of \$6,500,000. Administrative expenses of the Consumer Information Center in fiscal year 1993 shall not exceed \$2,367,000. Appropriations, revenues, and collections accruing to this fund during fiscal year 1993 in excess of \$6,500,000 shall remain in the fund and shall not be available for expenditure except as authorized in appropriations Acts.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF CONSUMER AFFAIRS

For necessary expenses of the Office of Consumer Affairs, including services authorized by 5 U.S.C. 3109, \$2,159,000: *Provided*, That notwithstanding any other provision of law, that Office may solicit, accept and deposit to this account, during fiscal year 1993, gifts for the purpose of defraying its costs of printing, publishing, and distributing consumer information and educational materials; may expend up to \$1,100,000 of those gifts for those purposes, in addition to amounts otherwise appropriated; and the balance shall remain available for expenditure for such purposes to the extent authorized in subsequent appropriations Acts.

INTERAGENCY COUNCIL ON THE HOMELESS

SALARIES AND EXPENSES

For necessary expenses of the Interagency Council on the Homeless, not otherwise provided for, as authorized by title II of the Stewart B. McKinney Homeless Assistance Act, as amended (42 U.S.C. 11311-11319), \$900,000, to remain available until September 30, 1994: *Provided*, That the Council shall carry out its duties in the 10 standard Federal regions under section 203(a)(4) of such Act only through detail, on a non-reimbursable basis, of employees of the departments and agencies represented on the Council pursuant to section 202(a) of such Act.

42 USC 11313
note.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

RESEARCH AND DEVELOPMENT

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses, not otherwise provided for, including research, development, operations, services, minor construction, maintenance, repair, rehabilitation and modification of real and personal property; purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, necessary for the conduct and support of aeronautical and space research and development activities of the National Aeronautics and Space Administra-

tion; not to exceed \$35,000 for official reception and representation expenses; and purchase (not to exceed thirty-three for replacement only) and hire of passenger motor vehicles; \$7,089,300,000, to remain available until September 30, 1994: *Provided*, That \$2,100,000,000 shall be made available for implementing the restructured Space Station Freedom program without substantive deviation from the on-orbit assembly sequence outlined by NASA in March 1990, endorsed by the National Space Council, and confirmed by the Committees on Appropriations in House Report 102-226: *Provided further*, That \$391,000,000 shall be made available for the development of the Earth Observing System (EOS) and EOS Data Information System (EOSDIS).

Of the amounts made available under this heading in Public Law 102-139, \$14,300,000 for the Climatsat mission are rescinded.

SPACE FLIGHT, CONTROL AND DATA COMMUNICATIONS

For necessary expenses, not otherwise provided for, in support of space flight, spacecraft control and communications activities of the National Aeronautics and Space Administration, including operations, production, services, minor construction, maintenance, repair, rehabilitation, and modification of real and personal property; tracking and data relay satellite services as authorized by law; purchase, lease, charter, maintenance and operation of mission and administrative aircraft; \$5,086,000,000, to remain available until September 30, 1994.

CONSTRUCTION OF FACILITIES

For construction, repair, rehabilitation and modification of facilities, minor construction of new facilities and additions to existing facilities, and for facility planning and design not otherwise provided, for the National Aeronautics and Space Administration, and for the acquisition or condemnation of real property, as authorized by law, \$525,000,000, to remain available until September 30, 1995: *Provided*, That, notwithstanding the limitation on the availability of funds appropriated under this heading by this appropriations Act, when any activity has been initiated by the incurrence of obligations therefor, the amount available for such activity shall remain available until expended, except that this provision shall not apply to the amounts appropriated pursuant to the authorization for repair, rehabilitation and modification of facilities, minor construction of new facilities and additions to existing facilities, and facility planning and design: *Provided further*, That no amount appropriated pursuant to this or any other Act may be used for the lease or construction of a new contractor-funded facility for exclusive use in support of a contract or contracts with the National Aeronautics and Space Administration under which the Administration would be required to substantially amortize through payment or reimbursement such contractor investment, unless an appropriations Act specifies the lease or contract pursuant to which such facilities are to be constructed or leased or such facility is otherwise identified in such Act: *Provided further*, That the Administrator may authorize such facility lease or construction, if he determines, in consultation with the Committees on Appropriations, that deferral of such action until the enactment of the next appropriations Act would be inconsistent with the interest of the Nation in aeronautical and space activities.

RESEARCH AND PROGRAM MANAGEMENT

For necessary expenses for personnel and related costs, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902) and travel expenses, \$1,615,014,000: *Provided*, That contracts may be entered into under this appropriation for training, investigations, costs associated with personnel relocation, and for other services, to be provided during the next fiscal year.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$15,062,000.

ADMINISTRATIVE PROVISIONS

Contracts.
Business and
industry.
Disadvantaged.
Women.

The NASA Administrator shall, to the fullest extent possible, ensure that at least 8 per centum of Federal funding for prime and subcontracts awarded in support of authorized programs, including the space station by the time operational status is obtained, be made available to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals (within the meaning of section 8(a) (5) and (6) of the Small Business Act (15 U.S.C. 637(a) (5) and (6))), including historically black colleges and universities. For purposes of this section, economically and socially disadvantaged individuals shall be deemed to include women.

Nomenclature.

The Mission Simulator and Training Facility, Building Number 5, of the National Aeronautics and Space Administration, located at the Johnson Space Center in Houston, Texas, is hereafter named and designated the "Jake Garn Mission Simulator and Training Facility". Any reference in a law, rule, map, regulation, document, record, or other paper of the United States to such facility shall be held to be a reference to the "Jake Garn Mission Simulator and Training Facility".

NATIONAL COMMISSION ON AMERICAN INDIAN, ALASKA NATIVE, AND
NATIVE HAWAIIAN HOUSING

SALARIES AND EXPENSES

For necessary expenses of the National Commission on American Indian, Alaska Native, and Native Hawaiian Housing, in carrying out their functions under title VI of the Department of Housing and Urban Development Reform Act of 1989 (Public Law 101-235, 103 Stat. 1987, 2052), \$500,000, to remain available until expended.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 1993, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions as authorized by the National Credit Union Central Liquidity Facility Act (12 U.S.C. 1795) shall not exceed \$600,000,000: *Provided*, That administrative expenses of the

Central Liquidity Facility in fiscal year 1993 shall not exceed \$964,000.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880-1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; \$1,859,000,000, to remain available until September 30, 1994: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further*, That notwithstanding section 104 of the National Science Foundation Authorization Act of 1988 (Public Law 100-570), no funds appropriated to the National Science Foundation under this Act may be transferred among appropriations accounts: *Provided further*, That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally: *Provided further*, That no funds in this Act or any other Act shall be used to lease or purchase an arctic research vessel built by a shipyard located in a foreign country if such a vessel of United States origin can be obtained at a cost no more than 50 per centum above that of the least expensive technically acceptable foreign vessel bid: *Provided further*, That, in determining the cost of such a vessel, such cost shall be increased by the amount of any subsidies or financing provided by a foreign government (or instrumentality thereof) to such vessel's construction: *Provided further*, That the vessel contracted for pursuant to the foregoing shall be of United States registry.

Maritime
affairs.
Contracts.

ACADEMIC RESEARCH FACILITIES AND INSTRUMENTATION

For necessary expenses in carrying out an academic research facilities and instrumentation program pursuant to the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875), including services as authorized by 5 U.S.C. 3109 and rental of conference rooms in the District of Columbia, \$50,000,000, to remain available until September 30, 1994.

UNITED STATES ANTARCTIC RESEARCH ACTIVITIES

For necessary expenses in carrying out the research and operational support and for reimbursement to other Federal agencies for logistical and other related activities for the United States Antarctic Program pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875); maintenance and operation of aircraft and purchase of flight services for research and operations support; improvement of environmental practices and enhancements of safety; services as authorized by 5 U.S.C. 3109; maintenance and operation of research ships and charter or lease of ships for research and operations support; hire of pas-

senger motor vehicles; not to exceed \$2,500 for official reception and representation expenses; \$158,000,000, to remain available until expended: *Provided*, That receipts for support services and materials provided for non-Federal activities may be credited to this appropriation: *Provided further*, That no funds in this account shall be used for the purchase of aircraft other than ones transferred from other Federal agencies.

UNITED STATES ANTARCTIC LOGISTICAL SUPPORT ACTIVITIES

For necessary expenses in reimbursing Federal agencies for logistical and other related activities for the United States Antarctic Program pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875); acquisition, maintenance, and operation of aircraft for research and operations support; improvement of environmental practices and enhancements of safety; \$63,360,000, to remain available until expended: *Provided*, That receipts for support services and materials provided for non-Federal activities may be credited to this appropriation.

EDUCATION AND HUMAN RESOURCES ACTIVITIES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875), including services as authorized by 5 U.S.C. 3109 and rental of conference rooms in the District of Columbia, \$487,500,000, to remain available until September 30, 1994: *Provided*, That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

CRITICAL TECHNOLOGIES INSTITUTE

For necessary expenses for support of the Critical Technologies Institute as authorized by section 822 of the National Defense Authorization Act for Fiscal Year 1991, as amended (42 U.S.C. 6686), \$1,000,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary salaries and expenses in carrying out the purposes of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed \$6,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); rental of conference rooms in the District of Columbia; reimbursement of the General Services Administration for security guard services; \$111,000,000: *Provided*, That contracts may be entered into under salaries and expenses in fiscal year 1993 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$3,688,000.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101-8107), \$27,976,000.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by law (5 U.S.C. 4101-4118) for civilian employees; and not to exceed \$1,000 for official reception and representation expenses; \$28,616,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever he deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States: *Provided further*, That notwithstanding the provisions of 50 U.S.C. App. 460(g), none of the funds appropriated by this Act may be obligated in connection with the preparation of more than one report each year to the Congress covering the operation of the Selective Service System.

TITLE IV

CORPORATIONS

Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Act as may be necessary in carrying out the programs set forth in the budget for 1993 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

FEDERAL DEPOSIT INSURANCE CORPORATION

FSLIC RESOLUTION FUND

For payment of expenditures, in fiscal year 1993, of the FSLIC Resolution Fund, for which other funds available to the FSLIC Resolution Fund as authorized by Public Law 101-73 are insufficient, \$2,622,000,000.

FDIC AFFORDABLE HOUSING PROGRAM

For the affordable housing program of the Federal Deposit Insurance Corporation under section 40 of the Federal Deposit Insurance Act (12 U.S.C. 1831q), \$5,000,000 to pay for any losses resulting from the sale of properties under the program, and for all administrative and holding costs associated with operating the program.

Notwithstanding any provisions of section 40 of the Federal Deposit Insurance Act or any other provision of law, the Federal Deposit Insurance Corporation shall be deemed in compliance with such section if, in its sole discretion, the Corporation at any time modifies, amends or waives any provisions of such section in order to maximize the efficient use of the available appropriated funds. The Corporation shall not be subject to suit for its failure to comply with the requirements of this provision or section 40 of the Federal Deposit Insurance Act.

BANK ENTERPRISE PROGRAM

For necessary expenses of issuing minimum requirements and guidelines under sections 232(a) and 233(a) of the Bank Enterprise Act of 1991, except for section 233(a)(1)(B) (12 U.S.C. 1834(a) and 1834a(a)), and in estimating the cost of allowing reduced assessment rates and assessment credits pursuant to such Act in future fiscal years, \$1,000,000.

The appropriation herein provided shall not constitute authority for implementation of assessment needs or reduced assessments pursuant to the Bank Enterprise Act.

RESOLUTION TRUST CORPORATION

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$33,510,000.

ADMINISTRATIVE PROVISION

The President of the Resolution Trust Corporation shall, to the fullest extent possible, ensure that at least 8 per centum of funding for prime and subcontracts awarded in support of authorized programs, be made available to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals (within the meaning of section 8(a) (5) and (6) of the Small Business Act (15 U.S.C. 637(a) (5) and (6))), including historically black colleges and universities. For the purposes of this section, economically and socially disadvantaged individuals shall be deemed to include women.

Contracts.
Business and
industry.
Disadvantaged.
Women.

TITLE V

GENERAL PROVISIONS

SECTION 501. Where appropriations in titles I, II, and III of this Act are expendable for travel expenses and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amounts set forth therefor in the budget estimates submitted for the appropriations: *Provided*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department of Veterans Affairs; to travel performed in connection with major disasters or emergencies declared or determined by the President under the provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; to travel performed by the Offices of Inspector General in connection with audits and investigations; or to payments to interagency motor pools where separately set forth in the budget schedules: *Provided further*, That if appropriations in titles I, II, and III exceed the amounts set forth in budget estimates initially submitted for such appropriations, the expenditures for travel may correspondingly exceed the amounts therefor set forth in the estimates in the same proportion.

SEC. 502. Appropriations and funds available for the administration expenses of the Department of Housing and Urban Development and the Selective Service System shall be available in the current fiscal year for purchase of uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109.

SEC. 503. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Resolution Trust Corporation, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811-1831).

SEC. 504. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 505. No funds appropriated by this Act may be expended—

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

(A) such certification is accompanied by, or is part of, a voucher or abstract which describes the payee or payees and the items or services for which such expenditure is being made, or

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

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

SEC. 506. None of the funds provided in this Act to any department or agency may be expended for the transportation of any officer or employee of such department or agency between his domicile and his place of employment, with the exception of any officer or employee authorized such transportation under title 31, United States Code, section 1344.

SEC. 507. None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: *Provided*, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research.

SEC. 508. None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the maximum rate paid for GS-18, unless specifically authorized by law.

SEC. 509. No part of any appropriation contained in this Act for personnel compensation and benefits shall be available for other object classifications set forth in the budget estimates submitted for the appropriations: *Provided*, That this section shall not apply to any part of the appropriations contained in this Act for Offices of Inspector General personnel compensation and benefits.

SEC. 510. None of the funds in this Act shall be used to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings. Nothing herein affects the authority of the Consumer Product Safety Commission pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056 et seq.).

SEC. 511. Except as otherwise provided under existing law or under an existing Executive order issued pursuant to an existing law, the obligation or expenditure of any appropriation under this Act for contracts for any consulting service shall be limited to contracts which are (1) a matter of public record and available for public inspection, and (2) thereafter included in a publicly available list of all contracts entered into within twenty-four months prior to the date on which the list is made available to the public and of all contracts on which performance has not been completed by such date. The list required by the preceding sentence shall be updated quarterly and shall include a narrative description of the work to be performed under each such contract.

SEC. 512. Except as otherwise provided by law, no part of any appropriation contained in this Act shall be obligated or expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.) for a contract for services unless such executive agency (1) has awarded and entered into such contract in full compliance with such Act and the regulations promulgated thereunder, and (2) requires any report prepared pursuant to such contract, including plans, evaluations, studies, analyses and manuals, and any report prepared by the agency which is substantially derived from or substantially includes any report prepared pursuant to such contract, to contain

Contracts.
Public
information.

Contracts.
Reports.

information concerning (A) the contract pursuant to which the report was prepared, and (B) the contractor who prepared the report pursuant to such contract.

SEC. 513. Except as otherwise provided in section 506, none of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 514. None of the funds provided in this Act to any department or agency shall be obligated or expended to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of less than 22 miles per gallon.

SEC. 515. Such sums as may be necessary for fiscal year 1993 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 516. None of the funds appropriated in title I of this Act shall be used to enter into any new lease of real property if the estimated annual rental is more than \$300,000, unless the Secretary submits, in writing, a report to the Committees on Appropriations of the Congress and a period of 30 days has expired following the date on which the report is received by the Committees on Appropriations.

Reports.

SEC. 517. (a) The Resolution Trust Corporation ("Corporation") shall report to the Congress at least once a month on the status of the review required by section 21A(b)(11)(B) of the Federal Home Loan Bank Act and the actions taken with respect to the agreements described in such section. The report shall describe, for each such agreement, the review that has been conducted and the action that has been taken, if any, to rescind or to restructure, modify, or renegotiate the agreement. In describing the action taken, the Corporation is not required to provide detailed information regarding an ongoing investigation or negotiation. The Corporation shall exercise any and all legal rights to restructure, modify, renegotiate or rescind such agreement, notwithstanding any other provision of law, where the savings would be realized.

Reports.

(b) To expend any appropriated funds for the purpose of restructuring, modifying, or renegotiating the agreements described in subsection (a), the Corporation shall certify to the Congress, for each such agreement, the following:

(1) the Corporation has completed its review of the agreement, as required by section 21A(b)(11)(B) of the Federal Home Loan Bank Act;

(2)(A) at the time of certification, in the opinion of the Corporation and based upon the information available to it, there is insufficient evidence or other indication of fraud, misrepresentation, failure to disclose a material fact, failure to perform under the terms of the agreement, improprieties in the bidding process, failure to comply with any law, rule or regulation regarding the validity of the agreement, or any other legal basis sufficient for the rescission of the agreement; or

(B) at the time of certification, the Corporation finds that there may be sufficient evidence to provide a legal basis for the rescission of the assistance agreement, but the Corporation determines that it may be in the best interest of the Government to restructure, modify or renegotiate the assistance agreement; and

(3) the Corporation has or will promptly exercise any and all legal rights to modify, renegotiate, or restructure the agreement where savings would be realized by such actions.

SEC. 518. Hereafter, for purposes of chapter 75 of title 31, United States Code (relating to requirements for single audits), the City of Walnut Creek, California, shall be permitted to conduct audits biennially.

SEC. 519. SAFE DRINKING WATER ACT IMPLEMENTATION.—

(a) SAFE DRINKING WATER ACT REPORT.—The Administrator of the Environmental Protection Agency shall report to the Congress within nine months of the date of enactment of this section recommendations concerning the reauthorization of the Safe Drinking Water Act. Such report shall address—

(1) the adverse health effects associated with contaminants in drinking water and the public health and other benefits that may be realized by removing such contaminants;

(2) the process for identifying contaminants in drinking water and selecting contaminants for control;

(3) schedules for the development of regulations and compliance with drinking water standards;

(4) the financial and technical capacity of drinking water systems to implement monitoring requirements associated with regulated and unregulated contaminants and options to facilitate implementation of such requirements, with special emphasis on small communities;

(5) the financial and technical capacity of drinking water systems to install treatment facilities needed to assure compliance with drinking water standards and options to facilitate compliance with such standards, with special emphasis on small communities;

(6) the financial and technical capacity of States to implement the drinking water program, including options for increasing funding of State programs; and

(7) innovative and alternative methods to increase the financial and technical capacity of drinking water systems and the States to assure effective implementation of such Act.

(b) MORATORIUM AND REPORT ON RADIONUCLIDES IN DRINKING WATER.—(1) The Administrator of the Environmental Protection Agency shall conduct a risk assessment of radon considering: (A) the risk of adverse human health effects associated with exposure to various pathways of radon; (B) the costs of controlling or mitigating exposure to radon; and (C) the costs for radon control or mitigation experienced by households and communities, including the costs experienced by small communities as the result of such regulation. Such an evaluation shall consider the risks posed by the treatment or disposal of any wastes produced by water treatment. The Science Advisory Board shall review the Agency's study and submit a recommendation to the Administrator on its findings. The Administrator shall report the Administrator's findings and the Science Advisory Board recommendation to the Senate Committee on Environment and Public Works and the House Committee on Energy and Commerce. Not later than July 31, 1993, the Administrator shall publish the Administrator's study and risk assessment and the Science Advisory Board recommendation.

(2) The Administrator is directed, if additional time is required to establish the radon standard, to seek an extension of the deadline

contained in the judicially-imposed consent decree for promulgation of the radon standard to a date not later than October 1, 1993.

(c) **SMALL SYSTEM MONITORING COST REDUCTION.**—With respect to monitoring requirements for organic chemicals, pesticides, PCBs, or unregulated contaminants promulgated in January 1991 (known as the Phase II rule), the Administrator or a primacy State may modify such requirements to provide that any drinking water system serving a population of less than 3,300 persons shall not be required to conduct additional quarterly monitoring for a specific contaminant or contaminants prior to October 1, 1993, if monitoring for any one quarter conducted after the date of enactment of this subsection and prior to October 1, 1993 for any such contaminant or contaminants fails to detect the presence of such contaminant or contaminants in the water supplied by the drinking water system.

This Act may be cited as the “Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1993”.

Approved October 6, 1992.

LEGISLATIVE HISTORY—H.R. 5679:

HOUSE REPORTS: Nos. 102-710 (Comm. on Appropriations) and 102-902 (Comm. of Conference).

SENATE REPORTS: No. 102-356 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 138 (1992):

July 29, considered and passed House.

Sept. 8, 9, considered and passed Senate, amended.

Sept. 25, House agreed to conference report; receded and concurred in certain Senate amendments, in others with an amendment; and insisted on its disagreement to another. Senate agreed to conference report; receded and concurred in House amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 28 (1992):

Oct. 6, Presidential statement.