

Public Law 98-619  
98th Congress

An Act

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1985, and for other purposes.

Nov. 8, 1984  
[H.R. 6028]

*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 Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1985, and for other purposes, namely:

Departments of  
Labor, Health  
and Human  
Services, and  
Education and  
Related  
Agencies  
Appropriation  
Act, 1985.  
Department of  
Labor  
Appropriation  
Act, 1985.

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, \$67,625,000, together with not to exceed \$45,200,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

TRAINING AND EMPLOYMENT SERVICES

For expenses necessary to carry into effect the Job Training Partnership Act, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Job Training Partnership Act, \$3,643,545,000 plus reimbursements, to be available for obligation for the period July 1, 1985, through June 30, 1986, including \$2,000,000 for the National Commission for Employment Policy, including \$3,000,000 for all activities conducted by and through the National Occupational Information Coordinating Committee under the Job Training Partnership Act, and including \$10,000,000 for service delivery areas under section 101(a)(4)(A)(iii) of the Job Training Partnership Act in addition to amounts otherwise provided under sections 202 and 251(b) of the Act: *Provided*, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

29 USC 1501  
note.

29 USC 1511.  
29 USC 1602,  
1631.

For the summer youth employment and training program authorized by the Job Training Partnership Act, \$100,000,000, in addition to amounts otherwise provided herein for these purposes, to be allocated to States so that each service delivery area receives, as nearly as possible, an amount equal to its prior year allocation for this program, to be available for obligation for the period July 1, 1984, through June 30, 1985.

For activities authorized by sections 236, 237, and 238 of the Trade Act of 1974, \$26,000,000.

19 USC  
2296-2298.

## COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out the activities for national grants or contracts with public agencies and public or private nonprofit organizations under paragraph (1)(A) of section 506(a) of title V of the Older Americans Act of 1965, as amended, \$254,280,000.

42 USC 3056d.

To carry out the activities for grants to States under paragraph (3) of section 506(a) of title V of the Older Americans Act of 1965, as amended, \$71,720,000.

## FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of benefits and payments as authorized by title II of Public Law 95-250, as amended, of trade adjustment benefit payments and allowances, as provided by law (part I, subchapter B, chapter 2, title II of the Trade Act of 1974, as amended) \$75,000,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year: *Provided*, That amounts received or recovered pursuant to section 208(e) of Public Law 95-250 shall be available for payments.

92 Stat. 172.

19 USC 2291.

92 Stat. 179.

## STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For activities authorized by the Act of June 6, 1933, as amended (29 U.S.C. 49-49l-1; 39 U.S.C. 3202(a)(1)(E)); title III of the Social Security Act, as amended (42 U.S.C. 502-504); necessary administrative expenses for carrying out 5 U.S.C. 8501-8523, and sections 231-238 and 243-244, title II of the Trade Act of 1974, as amended; and as authorized by section 7c of the Act of June 6, 1933, as amended, necessary administrative expenses under sections 101(a)(15)(H)(ii) and 212(a)(14) of the Immigration and Nationality Act, as amended (8 U.S.C. 1101 et seq.), and section 51 of the Internal Revenue Code of 1954, as amended (26 U.S.C. 51), notwithstanding section 261(f)(2)(A) of the Economic Recovery Tax Act of 1981, as amended, \$23,500,000, together with not to exceed \$2,387,065,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund, and of which \$777,398,000 shall be available for obligation for the period July 1, 1985, through June 30, 1986, to fund activities under section 6 of the Act of June 6, 1933, as amended, including the cost of penalty mail made available to States in lieu of allotments for such purpose, and of which, not to exceed \$3,767,000 which shall be available only for amortization payments to States which had independent retirement plans in their State Employment Service Agencies, and of which \$263,817,000 shall be available only to the extent necessary to administer unemployment compensation laws to meet increased costs of administration resulting from changes in a State law or increases in the number of unemployment insurance claims filed and claims paid or increased salary costs resulting from changes in State salary compensation plans embracing employees of the State generally over those upon which the State's basic allocation was based, which cannot be provided for by normal budgetary adjustments.

29 USC 49-49l-1.

19 USC  
2291-2298, 2315,  
2316.29 USC 49f.  
8 USC 1182.

26 USC 51 note.

29 USC 49e.

## LABOR-MANAGEMENT SERVICES ADMINISTRATION

## SALARIES AND EXPENSES

For necessary expenses for the Labor-Management Services Administration, \$60,211,000.

## PENSION BENEFIT GUARANTY CORPORATION

## PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96-364, within limits of funds and borrowing authority available to such Corporation, 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 Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program through September 30, 1985, for such Corporation: *Provided*, That not to exceed \$33,057,000 shall be available for administrative expenses of the Corporation.

94 Stat. 1217.

## EMPLOYMENT STANDARDS ADMINISTRATION

## SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, \$192,582,000, together with \$397,000, which may be expended from the Special Fund in accordance with sections 39(c) and 44(j) of the Longshoremen's and Harbor Workers' Compensation Act.

33 USC 939.  
Ante, p. 1654

## SPECIAL BENEFITS

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title V, chapter 81 of the United States Code; continuation of benefits as provided for under the head "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; and sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per centum of the additional compensation and benefits required by section 10(h) of the Longshoremen's and Harbor Workers' Compensation Act, as amended, \$211,400,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to September 15 of the current year: *Provided*, That in addition there shall be transferred from the Postal Service fund to this appropriation such sums as the Secretary of Labor determines to be the cost of administration for Postal Service employees through September 30, 1985.

5 USC 8101 *et seq.*  
61 Stat. 260.  
58 Stat. 566.  
42 USC 1702; 50 USC app. 2004.  
33 USC 910.

## BLACK LUNG DISABILITY TRUST FUND

For payments from the Black Lung Disability Trust Fund, \$949,244,000, of which \$910,781,000 shall be available until September 30, 1986, for payment of all benefits and interest on advances under subsection (c)(2) of section 9501 of the Internal Revenue Code

26 USC 9501.

of 1954, as amended, as authorized by section 9501(d) (1), (2), (4), and (7) of that Act and of which \$24,403,000 shall be available for transfer to Employment Standards Administration, Salaries and Expenses, and \$13,688,000 for transfer to Departmental Management, Salaries and Expenses, and \$372,000 for transfer to Departmental Management, Office of Inspector General, for expenses of operation and administration of the Black Lung Benefits program as authorized by section 9501(d)(5)(A) of that Act: *Provided*, That in addition, such amounts as may be necessary may be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to June 15 of the current year: *Provided further*, That in addition, such amounts shall be paid from this fund into miscellaneous receipts as the Secretary of the Treasury determines to be the administrative expenses of the Department of the Treasury for administering the fund during the current fiscal year, as authorized by section 9501(d)(5)(B) of that Act.

### OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

#### SALARIES AND EXPENSES

Grants.

For necessary expenses for the Occupational Safety and Health Administration, \$219,652,000, including not to exceed \$53,091,000, which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act, which grants shall be no less than fifty percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Occupational Safety and Health Act of 1970: *Provided*, That none of the funds appropriated under this paragraph shall be obligated or expended for the assessment of civil penalties issued for first instance violations of any standard, rule, or regulation promulgated under the Occupational Safety and Health Act of 1970 (other than serious, willful, or repeated violations under section 17 of the Act) resulting from the inspection of any establishment or workplace subject to the Act, unless such establishment or workplace is cited, on the basis of such inspection, for ten or more violations: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, order or administrative action under the Occupational Safety and Health Act of 1970 affecting any work activity by reason of recreational hunting, shooting, or fishing: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 with respect to any employer of ten or fewer employees who is included within a category having an occupational injury lost work day case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through

29 USC 672.

29 USC 667.

29 USC 651 note.  
29 USC 666.

Prohibitions.

the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

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

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

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of five or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act: *Provided further*, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended for the proposal or assessment of any civil penalties for the violation or alleged violation by an employer of ten or fewer employees of any standard, rule, regulation, or order promulgated under the Occupational Safety and Health Act of 1970 (other than serious, willful or repeated violations and violations which pose imminent danger under section 13 of the Act) if, prior to the inspection which gives rise to the alleged violation, the employer cited has (1) voluntarily requested consultation under a program operated pursuant to section 7(c)(1) or section 18 of the Occupational Safety and Health Act of 1970 or from a private consultative source approved by the Administration and (2) had the consultant examine the condition cited and (3) made or is in the process of making a reasonable good faith effort to eliminate the hazard created by the condition cited as such, which was identified by the aforementioned consultant, unless changing circumstances or workplace conditions render inapplicable the advice obtained from such consultants: *Provided further*, That none of the funds appropriated under this paragraph may be obligated or expended for any State plan monitoring visit by the Secretary of Labor under section 18 of the Occupational Safety and Health Act of 1970, of any factory, plant, establishment, construction site, or other area, workplace or environment where such a workplace or environment has been inspected by an employee of a State acting pursuant to section 18 of such Act within the six months preceding such inspection: *Provided further*, That this limitation does not prohibit the Secretary of Labor from conducting such monitoring visit at the time and place of an inspection by an employee of a State acting pursuant to section 18 of such Act, or in order to investigate a complaint about State program administration including a failure to respond to

29 USC 651 note.

29 USC 662.

29 USC 656, 667.

29 USC 660

a worker complaint regarding a violation of such Act, or in order to investigate a discrimination complaint under section 11(c) of such Act, or as part of a special study monitoring program, or to investigate a fatality or catastrophe: *Provided further*, That none of the funds appropriated under this paragraph may be obligated or expended for the inspection, investigation, or enforcement of any activity occurring on the Outer Continental Shelf which exceeds the authority granted to the Occupational Safety and Health Administration by any provision of the Outer Continental Shelf Lands Act, or the Outer Continental Shelf Lands Act Amendments of 1978.

43 USC 1301  
note.43 USC 1801  
note.

#### MINE SAFETY AND HEALTH ADMINISTRATION

##### SALARIES AND EXPENSES

30 USC 962.

For necessary expenses for the Mine Safety and Health Administration, \$150,550,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the purchase of not to exceed forty-five passenger motor vehicles for replacement only; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the Department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of major disaster: *Provided*, That none of the funds appropriated under this paragraph shall be obligated or expended to carry out section 115 of the Federal Mine Safety and Health Act of 1977 or to carry out that portion of section 104(g)(1) of such Act relating to the enforcement of any training requirements, with respect to shell dredging, or with respect to any sand, gravel, surface stone, surface clay, colloidal phosphate, or surface limestone mine.

30 USC 825.  
30 USC 814.

#### BUREAU OF LABOR STATISTICS

##### SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, \$152,860,000, of which \$9,625,000 shall be for expenses of revising the Consumer Price Index, together with not to exceed \$20,420,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: *Provided*, That \$4,823,000 shall remain available until September 30, 1986.

#### DEPARTMENTAL MANAGEMENT

##### SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including \$2,129,000 for the President's Committee on Employment of the Handicapped, \$102,330,000, together with not to exceed \$240,000

which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

**ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND TRAINING**

Not to exceed \$122,172,000 may be expended from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 2001-08 and 2021-26.

**SPECIAL FOREIGN CURRENCY PROGRAM**

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Department of Labor, as authorized by law, \$67,000, to remain available until expended. This appropriation shall be available in addition to other appropriations to such agency for payments in foreign currencies.

**OFFICE OF THE INSPECTOR GENERAL**

For salaries and expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$39,323,000 together with not to exceed \$4,300,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

5 USC app.

**GENERAL PROVISIONS**

SEC. 101. Appropriations in this Act available for salaries and expenses shall be available for supplies, services, and rental of conference space within the District of Columbia, as the Secretary of Labor shall deem necessary for settlement of labor-management disputes.

Labor disputes.

SEC. 102. None of the funds appropriated under this Act shall be used to grant variances, interim orders or letters of clarification to employers which will allow exposure of workers to chemicals or other workplace hazards in excess of existing Occupational Safety and Health Administration standards for the purpose of conducting experiments on worker health or safety.

Hazardous materials.

This title may be cited as the "Department of Labor Appropriation Act, 1985".

**TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES**

Department of Health and Human Services Appropriation Act, 1985.

**HEALTH RESOURCES AND SERVICES ADMINISTRATION**

**HEALTH RESOURCES AND SERVICES**

For carrying out titles III, IV, V, VII, VIII, X, and parts A and C of title XVI, and XIX of the Public Health Service Act, and 5 U.S.C. 7901, section 427(a) of the Federal Coal Mine Health and Safety Act, and title V of the Social Security Act, \$1,427,694,000, of which \$2,500,000 shall be available only for payments to the State of Hawaii for care and treatment of persons afflicted with Hansen's disease and \$2,500,000, to remain available until expended, shall be for demonstration grants under section 301: *Provided further*, That this appropriation shall be available for payment of the costs of

42 USC 241, 281, 292a, 296, 300, 300q, 300s, 300w, 30 USC 937, 42 USC 701.

42 USC 501.

medical care, related expenses, and burial expenses hereafter incurred by or on behalf of any person who has participated in the study of untreated syphilis initiated in Tuskegee, Alabama, in 1932, in such amounts and subject to such terms and conditions as prescribed by the Secretary of Health and Human Services and for payment, in such amounts and subject to such terms and conditions, of such costs and expenses hereafter incurred by or on behalf of such person's wife or offspring determined by the Secretary to have suffered injury or disease from syphilis contracted from such person: *Provided further*, That when the Department of Health and Human Services operates an employee health program for any Federal department or agency, payment for the full estimated cost may be made by way of reimbursement or in advances to this appropriation: *Provided further*, That during the fiscal year, and within the resources and authority available under section 338 of the Public Health Service Act, gross obligations for the principal amount of direct loans under section 335(c), 338C(e)(1), and 338E of that Act shall not exceed \$1,000,000: *Provided further*, That none of the funds made available by this Act shall be used to provide special retention pay (bonuses) under paragraph (4) of 37 U.S.C. 302(a) to any regular or reserve officer of the Public Health Service for any period during which the officer is providing obligated service under section 338B (or under former sections 225(e) or 752) of the Public Health Service Act except that this proviso shall not apply to any period of service covered by an agreement entered into by an officer under 37 U.S.C. 302(c)(1) before the date of enactment of Public Law 97-377.

42 USC 254k.  
42 USC 254h,  
254n, 254p.

42 USC 254m.  
42 USC 234,  
254m.

96 Stat. 1830.

#### MEDICAL FACILITIES GUARANTEE AND LOAN FUND

##### FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

For carrying out subsections (d) and (e) of section 1602 of the Public Health Service Act, \$26,500,000, together with \$5,500,000 to be derived from the Medical Facilities Guarantee and Loan Fund's Direct Loan Revolving Fund, to be available without fiscal year limitation for the payment of interest subsidies. During the fiscal year no commitments for direct loans, or loan guarantees shall be made.

42 USC 300q-2.

#### HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

Any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, and not to exceed \$2,600,000 may be disbursed with respect to any liability or contingent liability incurred prior to 1985.

42 USC 300e.

#### CENTERS FOR DISEASE CONTROL

##### DISEASE CONTROL

To carry out titles III, XI, and XIX of the Public Health Service Act, the Federal Mine Safety and Health Act of 1977, and the Occupational Safety and Health Act of 1970; including insurance of official motor vehicles in foreign countries; and purchase, hire, maintenance, and operation of aircraft, \$410,530,000, of which \$6,310,000 shall remain available until expended for construction and renovation of facilities: *Provided*, That training of employees of

42 USC 241,  
300b-1, 300w.  
30 USC 801 note.  
29 USC 651 note.

private agencies shall be made subject to reimbursement or advances to this appropriation for the full cost of such training.

#### NATIONAL INSTITUTES OF HEALTH

##### NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, \$1,183,806,000.

42 USC 241, 281.

##### NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301, title IV and title XI of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, \$805,269,000.

42 USC 241, 281,  
300b-1.

##### NATIONAL INSTITUTE OF DENTAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental diseases, \$100,688,000.

##### NATIONAL INSTITUTE OF ARTHRITIS, DIABETES, AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis, diabetes, and digestive and kidney diseases, \$543,576,000.

##### NATIONAL INSTITUTE OF NEUROLOGICAL AND COMMUNICATIVE DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological and communicative disorders and stroke, \$396,885,000.

##### NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, \$370,965,000.

##### NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, \$482,260,000.

##### NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, \$313,295,000.

##### NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, \$181,678,000.

## NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

42 USC 241, 243, 281. For carrying out sections 301, 311 and title IV of the Public Health Service Act with respect to environmental health sciences, \$194,819,000.

## NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, \$144,521,000.

## RESEARCH RESOURCES

42 USC 241, 289f-1. For carrying out sections 301 and 472 of the Public Health Service Act with respect to research resources and general research support grants, \$304,025,000: *Provided*, That none of these funds, with the exception of funds for the Minority Biomedical Research Support program, shall be used to pay recipients of the general research support grants program any amount for indirect expenses in connection with such grants.

## JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, \$11,728,000, of which \$1,999,000 shall be available for payment to the Gorgas Memorial Institute for maintenance and operation of the Gorgas Memorial Laboratory.

## NATIONAL LIBRARY OF MEDICINE

42 USC 275, 280b. For carrying out section 301 with respect to health information communications and parts I and J of title III of the Public Health Service Act, \$52,410,000.

## OFFICE OF THE DIRECTOR

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, \$38,304,000, including purchase of not to exceed thirteen passenger motor vehicles for replacement only: *Provided*, That \$10,000,000 of the foregoing amount shall remain available until September 30, 1986.

## BUILDINGS AND FACILITIES

For construction of, and acquisition of sites and equipment for, facilities of or used by the National Institutes of Health, \$21,730,000, to remain available until expended.

## ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

## ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH

42 USC 201 note. For carrying out the Public Health Service Act with respect to mental health, drug abuse, alcohol abuse, and alcoholism, \$922,621,000.

## FEDERAL SUBSIDY FOR SAINT ELIZABETHS HOSPITAL

24 USC 168b. For a portion of the cost of the maintenance and operation of Saint Elizabeths Hospital in the District of Columbia, \$48,595,000: *Provided*, That the Secretary of Health and Human Services may

set rates for inpatient and outpatient services provided through Saint Elizabeths Hospital that in the aggregate do not exceed the estimated total cost of providing such services, and may bill and collect from (prospectively or otherwise) individuals, the District of Columbia, Executive agencies and other entities for any services so provided. Amounts so collected shall be credited to the appropriation for Saint Elizabeths Hospital and shall remain available until expended.

#### OFFICE OF ASSISTANT SECRETARY FOR HEALTH

##### PUBLIC HEALTH SERVICE MANAGEMENT

For the expenses necessary for the Office of Assistant Secretary for Health and for carrying out titles III and XX of the Public Health Service Act, \$101,803,000, of which \$250,000 shall be available for design and facility planning under section 305(b)(3) of the Public Health Service Act, together with not to exceed \$1,050,000 to be transferred and expended as authorized by section 201(g) of the Social Security Act, from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds referred to therein and, in addition, amounts collected by the National Center for Health Statistics from the sale of data tapes shall be credited to this appropriation and shall remain available until expended: *Provided*, That section 2008(g) does not apply to these programs.

42 USC 241, 300z.

42 USC 242c.

42 USC 401.

##### RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan and for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C., ch. 55), such amounts as may be required during the current fiscal year.

10 USC 1071 *et seq.*

#### HEALTH CARE FINANCING ADMINISTRATION

##### GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, title XIX of the Social Security Act, \$16,293,491,000, to remain available until expended.

42 USC 1396.

For making, after May 31, 1985, payments to States under title XIX of the Social Security Act, for the last quarter of fiscal year 1985 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary, the obligations and the expenditures to be charged to the subsequent appropriations for the current or succeeding fiscal year.

Payment under title XIX may be made for any quarter beginning after June 30, 1984, and before October 1, 1985, with respect to any State plan or plan amendment in effect during any such quarter, if submitted in, or prior to, such quarter and approved in that or any such subsequent quarter.

For making payments to States under title XIX of the Social Security Act for the first quarter of fiscal year 1986, \$5,980,000,000, to remain available until expended.

## PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g), 229(b) and 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, and section 278(d) of Public Law 97-248, \$18,750,000,000.

97 Stat. 103.  
42 USC 417.  
97 Stat. 104.  
42 USC 429.  
42 USC 1395w.  
42 USC 426a,  
1395i-1.  
42 USC 426 note.  
42 USC 1301,  
1395, 1396.

## PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII and XIX of the Social Security Act, \$98,147,000, together with not to exceed \$1,084,779,000 to be transferred to this appropriation as authorized by section 201(g) of the Social Security Act, from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds referred to therein: *Provided*, That these amounts shall be in addition to \$45,000,000 for this purpose available under section 118 of Public Law 97-248: *Provided further*, That \$20,000,000 of the foregoing amount shall be expended only to the extent necessary to process workloads not anticipated in the budget estimates and to meet unanticipated costs of agencies or organizations with which agreements have been made to participate in the administration of title XVIII and after maximum absorption of such costs within the remainder of the existing limitation has been achieved.

42 USC 1395h  
note.

## SOCIAL SECURITY ADMINISTRATION

## PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, as provided under sections 201(m), 217(g), 228(g), 229(b), and 1131(b)(2) of the Social Security Act and section 152 of Public Law 98-21, \$512,722,000.

97 Stat. 105.  
42 USC 401.  
97 Stat. 103.  
42 USC 417.  
42 USC 428.  
97 Stat. 104.  
42 USC 429.  
42 USC 1320b-1.  
97 Stat. 105.  
30 USC 901.

## SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, including the payment of travel expenses on an actual cost or commuted basis, to an individual, for travel incident to medical examinations, and to parties, their representatives, and all reasonably necessary witnesses for travel within the United States, Puerto Rico, and the Virgin Islands, to reconsideration interviews and to proceedings before administrative law judges, \$1,024,131,000. For making, after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Federal Mine Safety and Health Act of 1977, for costs incurred in the current fiscal year, such amounts as may be necessary, the obligations and expenditures to be charged to the subsequent appropriations for the current or succeeding fiscal year.

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 1986, \$270,000,000, to remain available until expended.

## SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out the Supplemental Security Income Program, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as

42 USC 1382e  
note, 1382 note.

amended, and section 405 of Public Law 95-216, including payment to the social security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, \$9,361,786,000 to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury. For making, after July 31 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary, the obligations and expenditures therefor to be charged to the subsequent appropriations for the current or succeeding fiscal year.

42 USC 1383  
note.  
42 USC 401.

42 USC 1381.

For carrying out the Supplemental Security Income Program for the first quarter of fiscal year 1986, \$2,345,769,000, to remain available until expended.

#### ASSISTANCE PAYMENTS PROGRAM

For carrying out, except as otherwise provided, titles I, IV-A and -D, X, XI, XIV, and XVI, of the Social Security Act and the Act of July 5, 1960 (24 U.S.C., ch. 9), \$6,170,000,000, to remain available until expended.

42 USC 301, 601,  
651, 1201, 1301,  
1351, 1381.  
24 USC 321 *et*  
*seq.*

For making, after May 31 of the current fiscal year, payments to States under titles I, IV-A and -D, X, XIV, and XVI of the Social Security Act for the last three months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary, the obligations and expenditures to be charged to the subsequent appropriations for the current or succeeding fiscal year.

For making payments to States under titles I, IV-A and -D, X, XIV, and XVI of the Social Security Act for the first quarter of fiscal year 1986, \$2,095,000,000, to remain available until expended.

#### CHILD SUPPORT ENFORCEMENT

For carrying out, except as otherwise provided, titles IV-D and XI of the Social Security Act, \$497,000,000, to remain available until expended.

For making, after May 31 of the current fiscal year, payments to States under title IV-D of the Social Security Act for the last three months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary, the obligations and the expenditures to be charged to the subsequent appropriations for the current or succeeding fiscal year.

For making payments to States under title IV-D of the Social Security Act for the first quarter of fiscal year 1986, \$160,000,000, to remain available until expended.

#### LOW INCOME HOME ENERGY ASSISTANCE

For carrying out title XXVI of the Omnibus Budget Reconciliation Act of 1981, \$2,100,000,000.

42 USC 8621.

#### LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, not more than \$3,787,515,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein:

42 USC 401.

42 USC 1383  
note.  
42 USC 1383.

*Provided*, That travel expense payments under section 1631(h) of such Act may be made only when travel of more than seventy-five miles is required: *Provided further*, That \$50,000,000 of the foregoing amount shall be apportioned for use only to the extent necessary to process workloads not anticipated in the budget estimates, for automation projects, and to meet mandatory increases in costs of agencies or organizations with which agreements have been made to participate in the administration of titles XVI and XVIII and section 221 of the Social Security Act, and after maximum absorption of such costs within the remainder of the existing limitation has been achieved: *Provided further*, That \$210,166,000 for automatic data processing and telecommunications activities shall remain available until expended: *Provided further*, That none of the funds appropriated by this Act may be used for the manufacture, printing, or procuring of social security cards, as provided in section 205(c)(2)(D) of the Social Security Act, where paper and other materials used in the manufacture of such cards are produced, manufactured, or assembled outside of the United States.

42 USC 1381,  
1395, 421.

97 Stat. 137.  
42 USC 405.

HUMAN DEVELOPMENT SERVICES

SOCIAL SERVICES BLOCK GRANT

42 USC 1305  
note.

For carrying out the Social Services Block Grant Act, \$2,700,000,000.

HUMAN DEVELOPMENT SERVICES

42 USC 3001  
note.  
42 USC 5601  
note.  
42 USC 2991.  
42 USC 6000  
note.  
42 USC 5101  
note.  
42 USC 9801  
note.

For carrying out, except as otherwise provided, the Older Americans Act of 1965, the Runaway and Homeless Youth Act, the Native Americans Program Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Child Abuse Prevention and Treatment Act, and the Head Start Act of 1981, \$1,996,154,000, of which \$33,400,000 shall be available for carrying out section 308(b)(1) of the Older Americans Act of 1965.

FAMILY SOCIAL SERVICES

42 USC 3028.  
42 USC 620, 670,  
1310, 5111.

For carrying out parts B and E of title IV and section 1110 of the Social Security Act, and title II of Public Law 95-266 (adoption opportunities), \$690,902,000.

WORK INCENTIVES

42 USC 630.

42 USC 602.

42 USC 631.

42 USC 603.

For carrying out a work incentive program, as authorized by part C of title IV of the Social Security Act, including registration of individuals for such programs, and for related child care and other supportive services, as authorized by section 402(a)(19)(G) of the Act, including transfer to the Secretary of Labor, as authorized by section 431 of the Act, \$266,760,000 which shall be the maximum amount available for transfer to the Secretary of Labor and to which the States may become entitled pursuant to section 403(d) of such Act, for these purposes.

## OFFICE OF COMMUNITY SERVICES

## COMMUNITY SERVICES BLOCK GRANT

For carrying out the Community Services Block Grant Act, \$372,435,000, of which \$19,920,000 shall be for carrying out section 681(a)(2)(A), \$4,050,000 shall be for carrying out section 681(a)(2)(D), \$3,035,000 shall be for carrying out section 681(a)(2)(E), and \$6,130,000 shall be for carrying out section 681(a)(2)(F): *Provided*, That not more than 10 per centum of the funds appropriated and allotted to each State under section 674 of such Act shall be used for purposes other than to make grants to eligible entities as defined in section 673(1) of such Act or to organizations serving seasonal and migrant farmworkers or to designated limited purpose agencies which meet the requirements of section 673(1) of such Act, except that the Secretary of Health and Human Services may waive this requirement for any State applying for such a waiver if—

(1) the State obtained a waiver of the requirements of section 138 of Public Law 97-276 with respect to appropriations for fiscal year 1983; and

(2) the State submits, prior to October 1, 1984, an application for fiscal year 1985 under the Community Services Block Grant Act, containing provisions for the use of assistance under that Act by political subdivisions.

42 USC 9901  
note.

42 USC 9910.

42 USC 9903.

42 USC 9902.

96 Stat. 1198.

## DEPARTMENTAL MANAGEMENT

## GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six medium sedans, \$133,000,000 together with not to exceed \$8,000,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

42 USC 401.

## OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, \$53,391,000 together with not to exceed \$20,000,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

## OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, \$17,850,000 together with not to exceed \$2,350,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

## POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act, \$9,750,000: *Provided*, That not less than \$1,750,000 shall be obligated to continue research on poverty conducted by the Institute for Research on Poverty.

42 USC 1310.

## GENERAL PROVISIONS

SEC. 201. None of the funds appropriated by this title for grants-in-aid of State agencies to cover, in whole or in part, the cost of operation of said agencies, including the salaries and expenses of officers and employees of said agencies, shall be withheld from the said agencies of any State which have established by legislative enactment and have in operation a merit system and classification and compensation plan covering the selection, tenure in office, and compensation of their employees, because of any disapproval of their personnel or the manner of their selection by the agencies of the said States, or the rates of pay of said officers or employees.

Research and  
development.

SEC. 202. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of research an amount equal to as much as the entire cost of such research.

SEC. 203. Appropriations in this Act for the Health Resources and Services Administration, the National Institutes of Health, the Centers for Disease Control, the Alcohol, Drug Abuse, and Mental Health Administration, the Office of the Assistant Secretary for Health, the Health Care Financing Administration, and Departmental Management shall be available for expenses for active commissioned officers in the Public Health Service Reserve Corps and for not to exceed two thousand five hundred commissioned officers in the Regular Corps; expenses incident to the dissemination of health information in foreign countries through exhibits and other appropriate means; advances of funds for compensation, travel, and subsistence expenses (or per diem in lieu thereof) for persons coming from abroad to participate in health or scientific activities of the Department pursuant to law; expenses of primary and secondary schooling of dependents in foreign countries, of Public Health Service commissioned officers stationed in foreign countries, at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools available in the locality are unable to provide adequately for the education of such dependents, and for the transportation of such dependents, between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation; expenses for medical care for civilian and commissioned employees of the Public Health Service and their dependents, assigned abroad on a permanent basis in accordance with such regulations as the Secretary may provide; rental or lease of living quarters (for periods not exceeding five years), and provision of heat, fuel, and light and maintenance, improvement, and repair of such quarters, and advance payments therefor, for civilian officers, and employees of the Public Health Service who are United States citizens and who have a permanent station in a foreign country; purchase, erection, and maintenance of temporary or portable structures; and for the payment of compensation to consultants or individual scientists appointed for limited periods of time pursuant to section 207(f) or section 207(g) of the Public Health Service Act, at rates established by the Assistant Secretary for Health, or the Secretary where such action is required by statute, not to exceed the per diem rate equivalent to the rate for GS-18; for carrying out section 472 of the Public Health Service Act; not to exceed \$9,500 for official reception and representation expenses related to any health agency of the Department when specifically approved by the Assistant Secretary for Health.

42 USC 209.

42 USC 2891-1.

SEC. 204. None of the funds contained in this Act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term.

Abortions.

SEC. 205. Funds advanced to the National Institutes of Health Management Fund from appropriations in this Act shall be available for the expenses of sharing medical care facilities and resources pursuant to section 327A of the Public Health Service Act.

Health and medical care.

42 USC 254a.

SEC. 206. Funds appropriated in this title for the Social Security Administration and the Office of Child Support Enforcement shall be available for not to exceed \$5,000 for official reception and representation expenses related to income maintenance or child support enforcement activities of the Department when specifically approved by the Commissioner of Social Security.

SEC. 207. Funds appropriated in this title for the Health Care Financing Administration shall be available for not to exceed \$2,000 for official reception and representation expenses when specifically approved by the Administrator of the Health Care Financing Administration.

42 USC 210 note.

SEC. 208. No funds appropriated for the fiscal year ending September 30, 1985, by this or any other Act, may be used to pay basic pay, special pays, basic allowance for subsistence and basic allowances for quarters of the commissioned corps of the Public Health Service described in section 204 of title 42, United States Code, at a level that exceeds 110 percent of the Executive Level I annual rate of basic pay: *Provided*, That amounts received from employees of the Department in payment for room and board may be credited to the appropriation accounts "Health Resources and Services", National Institutes of Health "Office of the Director", "Disease Control", and "Federal Subsidy for Saint Elizabeths Hospital".

SEC. 209. None of the funds appropriated in this title shall be used to transfer the general administration of programs authorized under the Native American Programs Act from the Department of Health and Human Services to the Department of the Interior.

This title may be cited as the "Department of Health and Human Services Appropriation Act, 1985".

### TITLE III—DEPARTMENT OF EDUCATION

#### COMPENSATORY EDUCATION FOR THE DISADVANTAGED

For carrying out chapter 1 of the Education Consolidation and Improvement Act of 1981, \$3,688,163,000 to become available on July 1, 1985, and remain available until September 30, 1986: *Provided*, That no funds shall be used for purposes of section 554(a)(1)(B), \$5,246,000 shall be available for purposes of section 555(d) to provide technical assistance and evaluate programs, \$264,524,000 shall be available for purposes of section 554(a)(2)(A), \$150,170,000 shall be available for purposes of section 554(a)(2)(B), \$32,616,000 shall be available for purposes of section 554(a)(2)(C) and \$35,607,000 shall be available for purposes of section 554(b)(1)(D).

Department of Education Appropriation Act, 1985.

20 USC 3801.

20 USC 3803.  
20 USC 3804.

For carrying out section 418A of the Higher Education Act, \$7,500,000.

20 USC 1070d-2.

#### SPECIAL PROGRAMS

For carrying out the consolidated programs and projects authorized under chapter 2 of the Education Consolidation and Improvement Act of 1981, \$531,909,000, of which \$31,909,000 shall be for

20 USC 3811.

20 USC 3851.

20 USC 3851.

*Ante*, p. 234.

20 USC 3811.

programs and projects authorized under subchapter D of said Act, including \$10,700,000 for programs and projects authorized under subsection 583(a)(1) of said Act; \$6,052,000 shall be used for awards, which, except for educational television programming, are not to exceed a cumulative amount of \$1,000,000 to any recipient for national impact demonstration or research projects; \$7,000,000 for activities authorized under subsection 583(b)(1) of said Act; \$3,157,000 for programs authorized under subsection 583(b)(2) of said Act; \$3,000,000 for programs authorized under subsection 583(b)(3) of said Act; and \$2,000,000 for activities authorized under subsection 583(b)(4) of said Act: *Provided*, That \$500,000,000 to carry out the State block grant program authorized under chapter 2 of said Act shall become available for obligation on July 1, 1985, and shall remain available until September 30, 1986: *Provided further*, That \$31,909,000 for the purpose of subchapter D of said Act shall become available for obligation on October 1, 1984.

42 USC 2000c-2.

20 USC 3341.

92 Stat. 2379.

92 Stat. 2379.

86 Stat. 907.

For grants to State education agencies and desegregation assistance centers authorized under section 403 of the Civil Rights Act of 1964, \$24,000,000.

For carrying out activities authorized under title IX, part C of the Elementary and Secondary Education Act, \$6,000,000.

For carrying out activities authorized under section 1524 of the Education Amendments of 1978, \$2,700,000.

For carrying out activities authorized under section 1525 of the Education Amendments of 1978, \$2,000,000.

For carrying out activities authorized under Public Law 92-506, as amended, \$1,500,000: *Provided*, That said sum shall become available on July 1, 1985, and shall remain available until September 30, 1986.

*Ante*, p. 1299.

For carrying out the provisions of title VII of the Education for Economic Security Act, relating to magnet schools assistance, \$75,000,000: *Provided*, That not more than \$4,000,000 in the fiscal year may be paid to any single eligible local educational agency: *Provided further*, That amounts appropriated under this sentence shall be available October 1, 1984.

#### SCIENCE AND MATH EDUCATION

*Ante*, p. 1273.

For carrying out the provisions of title II of the Education for Economic Security Act, \$100,000,000 to remain available until expended.

#### EXCELLENCE IN EDUCATION PROGRAM

*Ante*, p. 1295.

For carrying out the provisions of title VI of the Education for Economic Security Act, \$5,000,000 to remain available until expended.

#### BILINGUAL EDUCATION

20 USC 3222.

20 USC 2411.

For carrying out, to the extent not otherwise provided, title VII of the Elementary and Secondary Education Act and part B, subpart 3 of the Vocational Education Act, as amended, \$142,951,000 of which \$3,686,000 for part B, subpart 3 of the Vocational Education Act shall become available on July 1, 1985, and shall remain available until September 30, 1986.

## SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS

For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C. ch. 13), \$675,000,000 of which \$22,000,000 shall be entitlements under section 2 of said Act, \$10,000,000, which shall remain available until expended, shall be for payments under section 7 of said Act and \$643,000,000 shall be for entitlements under section 3 of said Act of which \$513,000,000 shall be for entitlements under section 3(a) of said Act: *Provided*, That payment with respect to entitlements under section 3(a) to any local educational agency described in section 3(d)(1)(A) of said Act shall be at 100 per centum of entitlement except that payment to such agency attributable to children who reside on property which is described in section 403(1)(C) of said Act shall be limited to 15 per centum of entitlement: *Provided further*, That payment with respect to entitlements under section 3(a) to any local educational agency not described in section 3(d)(1)(A) shall be ratably reduced from 100 per centum of entitlement except that payment to such agency attributable to children who reside on property which is described in section 403(1)(C) shall be ratably reduced from 15 per centum of entitlement: *Provided further*, That payment with respect to entitlements under section 3(b) of said Act to any local educational agency in which 20 per centum or more of the total average daily attendance is made up of children determined eligible under section 3(b) shall be at 60 per centum of entitlement and payment with respect to entitlements under section 3(b) of said Act to any local educational agency in which less than 20 per centum of the total average daily attendance is made up of children determined eligible under section 3(b) shall be ratably reduced from 100 per centum of entitlement: *Provided further*, That the provisions of section 5(c) of said Act shall not apply to funds provided herein: *Provided further*, That section 305(b)(2) of the Education Amendments of 1974 shall not apply to funds provided herein: *Provided further*, That no payments shall be made under section 7 of said Act to any local educational agency whose need for assistance under that section fails to exceed the lesser of \$10,000 or 5 per centum of the district's current operating expenditures during the fiscal year preceding the one in which the disaster occurred: *Provided further*, That in determining entitlements under section 3 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), the local contribution rate for each local educational agency shall not be less than the local contribution rate for that agency for fiscal year 1984 increased by the percentage increase (if any) in the national average per pupil expenditure for fiscal year 1984 from fiscal year 1983: *Provided further*, That section 3(d)(2)(B) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by inserting at the end thereof the following new sentence: "In carrying out the provisions of this subparagraph, the Secretary shall not prorate the amounts computed under this subparagraph attributable to the number of children determined under subsection (a) or (b), or both.": *Provided further*, That the second sentence of section 3(d)(2)(B) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "The" and inserting in lieu thereof "Subject to the provisions of subsection (h) of this section, the", and section 3 of such Act is amended by adding at the end thereof the following new subsection:

20 USC 236 *et seq.*  
20 USC 237.

20 USC 241-1.  
20 USC 238.

20 USC 244.

97 Stat. 1419.  
20 USC 240.

20 USC 238 note.

20 USC 241-1.

20 USC 238.

20 USC 238.

## "SPECIAL PROVISIONS"

"(h) Any local educational agency for which the boundaries of the school district of such agency are coterminous with the boundaries of a military installation and which is not eligible to receive payments under subsection (d)(2)(B) shall receive 100 percent of the amounts to which such agency is entitled under subsection (a) of this section."

20 USC 631 *et seq.*  
20 USC 640, 644.  
20 USC 635.

For carrying out the Act of September 23, 1950, as amended (20 U.S.C. ch. 19), \$20,000,000 which shall remain available until expended, shall be for providing school facilities as authorized by said Act, of which \$8,500,000 shall be for awards under section 10 of said Act, \$8,500,000 shall be for awards under sections 14(a) and 14(b) of said Act, and \$3,000,000 shall be for awards under sections 5 and 14(c) of said Act.

## EDUCATION FOR THE HANDICAPPED

20 USC 1400.  
20 USC 1411.  
20 USC 1419.  
97 Stat 1369.  
20 USC 1431.

20 USC 1451.

For carrying out the Education of the Handicapped Act, \$1,321,270,000, of which \$1,135,145,000, for section 611, \$29,000,000 for section 619, and \$61,000,000 for part D of such Act, including special education supervision, administration and research, special projects, and State education agency programs under existing grants and contracts as well as new grants and contracts as authorized by such part D, shall become available for obligation on July 1, 1985, and shall remain available until September 30, 1986: *Provided*, That \$500,000 of the amounts available under this heading for part F of the Education of the Handicapped Act shall be available for the Theater of the Deaf.

## REHABILITATION SERVICES AND HANDICAPPED RESEARCH

29 USC 701 note.  
*Ante*, p. 32.  
22 USC 2101 note.  
*Ante*, p. 19.  
29 USC 730.

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, as amended, the Helen Keller National Center Act, and the International Health Research Act of 1960, \$1,233,300,000, of which \$1,098,707,247 shall be for allotments under section 100(b)(1) of the Rehabilitation Act, \$1,292,753 shall be for activities under section 110(b)(3) of the Rehabilitation Act, \$4,200,000 shall be for continued operation of the Helen Keller National Center for Deaf-Blind Youths and Adults.

## VOCATIONAL AND ADULT EDUCATION

20 USC 2301 note, 1201 note.  
20 USC 2401.  
20 USC 2305.  
20 USC 2350.

For carrying out, to the extent not otherwise provided, the Vocational Education Act, and the Adult Education Act, \$831,314,000 which shall become available for obligation on July 1, 1985, and shall remain available until September 30, 1986, except that \$8,178,000 for part B, subpart 2 of the Vocational Education Act shall become available for obligation on July 1, 1985, and shall remain available until expended: *Provided*, That \$7,000,000 for State advisory councils under section 105 of the Vocational Education Act shall be used to provide to each State, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Trust Territory of the Pacific Islands, and Northern Mariana Islands an amount equal to the amount it received in the previous fiscal year: *Provided further*, That not to exceed \$99,590,000 shall be for carrying out part A, subpart 3, of the Vocational Education Act: *Provided*

further, That \$2,243,100 shall be made available for the National Occupational Information Coordinating Committee.

#### STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 2, and 3 of part A, and parts C and E of title IV of the Higher Education Act, \$4,871,000,000 which shall remain available until September 30, 1986, of which \$412,500,000 shall be available for carrying out subpart 2 of part A of title IV of the Higher Education Act, and \$250,000,000 shall be available to pay deficiencies resulting from the payment schedules for Pell Grants published by the Secretary of Education for academic year 1983-84 and academic year 1984-85: *Provided*, That amounts appropriated for Pell Grants shall be available first to meet any insufficiencies in entitlements resulting from the payment schedule for Pell Grants published by the Secretary of Education for the 1984-85 academic year: *Provided further*, That pursuant to section 411(b)(4)(A) of the Higher Education Act, amounts appropriated herein for Pell Grants which exceed the amounts required to meet the payment schedule published for any fiscal year by 15 per centum or less shall be carried forward and merged with amounts appropriated for the next fiscal year: *Provided further*, That notwithstanding section 411(a)(2)(A)(i) and section 411(b)(5) of the Higher Education Act, the maximum grant a student may receive in the 1985-86 academic year shall be \$2,100: *Provided further*, That the cost of attendance criteria used for calculating eligibility for and the amount of the Pell Grants for academic year 1985-86 shall be the same as the cost of attendance criteria used for academic year 1984-85: *Provided further*, That notwithstanding section 413D(a), and subsections (a), (b), (c), and (e) of section 442 of the Higher Education Act, the Secretary shall apportion funds among the States so that each State's apportionment under the Supplemental Educational Opportunity Grant Program and Work-Study Program bears the same ratio to the total amount appropriated under each program as that State's apportionment in fiscal year 1981 for each program bears to the total amount appropriated for fiscal year 1981 for each program: *Provided further*, That notwithstanding section 413D(b)(1)(B)(ii) and section 446(a) of the Higher Education Act, from each jurisdiction's allotment of funds under each program, the Secretary shall allocate sums to institutions in that jurisdiction that did not receive an allocation in fiscal year 1979 (award year 1979-80) under each program in a manner that will most effectively carry out the purposes of the Supplemental Educational Opportunity Grant Program and the Work-Study Program: *Provided further*, That notwithstanding section 413D(b)(1)(B)(ii)(II) of the Higher Education Act, the provisions of clause (I) of section 413D(b)(1)(B)(ii) of such Act shall apply to the amount made available for Supplemental Educational Opportunity Grants under this heading.

20 USC 1070a,  
1070b, 1070c, 42  
USC 2751, 20  
USC 1088.

20 USC 1070a.

20 USC 1070a  
note.

20 USC 1070b-3  
note.  
20 USC 1070b-3.  
42 USC 2752.

42 USC 2756.

#### GUARANTEED STUDENT LOANS

For necessary expenses under title IV, part B of the Higher Education Act, \$3,079,477,000 to remain available until expended.

20 USC 1071.

#### HIGHER EDUCATION

For carrying out title III of the Higher Education Act of 1965, as amended, \$141,208,000: *Provided*, That not less than \$45,741,000 of

20 USC 1051.

- 20 USC 1051. funds appropriated for title III of the Higher Education Act shall be available only to historically black colleges and universities.
- 20 USC 1070d,  
1121, 1132a,  
1133, 1135,  
1134d, 1134h,  
1134l, 1134n,  
1070e-1,  
1132d-3, 1144a.  
7 USC 301 note.  
94 Stat. 1502.  
22 USC 2452.
- 20 USC 3489.
- 20 USC 1226a.
- 20 USC 1132c.
- 20 USC 1134e.
- Ante*, p. 2247.
- For carrying out title III, sections 301, 302, 303, and 304 of H.R. 2878, the "Library Services and Construction Act Amendments of 1984", as contained in conference report numbered 98-1075, \$22,000,000.

#### HIGHER EDUCATION FACILITIES LOANS AND INSURANCE

- 81 Stat. 386.
- 20 USC 1132d-2.
- For the payment of principal and interest on participation certificates as authorized by the Department of Health, Education, and Welfare Appropriation Act, 1968, issued by the Government National Mortgage Association as trustee on the behalf of the Department of Education pursuant to the Federal National Mortgage Association Act (12 U.S.C. 1717(c)), and for the payment of interest expenses to the Department of the Treasury as required by title VII, section 733(b)(2) of the Higher Education Act, \$14,194,000 to remain available until expended. The Secretary is hereby authorized to make such expenditures, within the limits of funds available under this heading and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation, as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 9104), as may be necessary in carrying out the program set forth in the budget for the current fiscal year. During fiscal year 1985, no new commitments for loans may be made from this account.

#### COLLEGE HOUSING LOANS

The aggregate amount of commitments for loans made from the fund established pursuant to title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749), for the fiscal year 1985 shall not exceed the total of loan repayments and other income available during such period, less operating costs. Payments of insufficiencies in fiscal year 1985 as may be required by the Government National Mortgage Association, as trustee, on account of outstanding beneficial interests or participations issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act, as amended (12 U.S.C. 1717) shall be made from the fund established pursuant to title IV of

the Housing Act of 1950, as amended (12 U.S.C. 1749) using loan repayments and other income available during fiscal year 1985. During fiscal year 1985 and within the resources and authority available, gross commitments for the principal amount of direct loans shall be \$40,000,000.

#### EDUCATIONAL RESEARCH AND STATISTICS

For necessary expenses to carry out sections 405 and 406 of the General Education Provisions Act, as amended, \$59,978,000.

20 USC 1221e,  
1221e-1.

#### LIBRARIES

For carrying out, to the extent not otherwise provided, titles I, II and III of the Library Services and Construction Act (20 U.S.C. ch. 16); and title II, part B except section 224, and part C of the Higher Education Act, notwithstanding the provisions of section 221, \$125,000,000: *Provided*, That \$25,000,000 of the sums appropriated shall be used to carry out the provisions of title II of the Library Services and Construction Act and shall remain available until expended.

20 USC 352,  
355a, 355e, 351 *et*  
*seq.*  
20 USC 1031,  
1034, 1041.

#### SPECIAL INSTITUTIONS

##### AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101-106), including provision of materials to adults undergoing rehabilitation on the same basis as provided in 1984, \$5,500,000.

20 USC 101, 102,  
104.

##### NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For carrying out the National Technical Institute for the Deaf Act (20 U.S.C. 681 *et seq.*), \$31,400,000, of which \$1,400,000 shall be for construction and shall remain available until expended.

##### GALLAUDET COLLEGE

For carrying out the Model Secondary School for the Deaf Act (80 Stat. 1027) and for the partial support of Gallaudet College authorized by the Act of June 18, 1954 (68 Stat. 265), including continuing education activities, existing extension centers and the National Center for Law and the Deaf, \$58,700,000.

20 USC 693 *note.*  
20 USC 691-691d.

##### HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 *et seq.*), \$158,230,000, of which \$2,000,000 shall be for an endowment matching grant in accordance with policies and procedures as appropriate for comparable grants under the Challenge Grant Amendments of 1983 (Public Law 98-95) and shall remain available until expended.

97 Stat. 708.  
20 USC 1001  
*note.*

#### DEPARTMENTAL MANAGEMENT

##### SALARIES AND EXPENSES

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, \$241,075,000.

20 USC 3401  
*note.*

## OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, \$45,000,000.

20 USC 3413.

## OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, \$15,312,000.

20 USC 3422.

## GENERAL PROVISIONS

SEC. 301. None of the funds appropriated by the title for grants-in-aid of State agencies to cover, in whole or in part, the cost of operation of said agencies, including the salaries and expenses of officers and employees of said agencies, shall be withheld from the said agencies of any State which have established by legislative enactment and have in operation a merit system and classification and compensation plan covering the selection, tenure in office, and compensation of their employees, because of any disapproval of their personnel or the manner of their selection by the agencies of the said States, or the rates of pay of said officers or employees.

Audit.

SEC. 302. Funds appropriated in this Act to the American Printing House for the Blind, Howard University, the National Technical Institute for the Deaf, and Gallaudet College shall be subject to audit by the Secretary of Education.

Research and development.

SEC. 303. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of research an amount equal to as much as the entire cost of such research.

Busing.

SEC. 304. No part of the funds contained in this title may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to force on account of race, creed or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

Busing.

SEC. 305. (a) No part of the funds contained in this title shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district or school.

(b) No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

Busing.

SEC. 306. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a

school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

42 USC 2000d.

SEC. 307. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

School prayer.

SEC. 308. Section 402(c) of the Housing Act of 1950 is amended by striking out in clause (9) "October 1, 1984" and inserting in its place "October 1, 1985".

97 Stat. 895.  
12 USC 1749a.

SEC. 309. No funds appropriated in any Act to the Department of Education for fiscal years 1984 and 1985 shall be withheld from distribution to grantees because of the provisions of the order entered by the United States District Court for Northern District of Illinois on June 30, 1983.

This title may be cited as the "Department of Education Appropriation Act, 1985".

#### TITLE IV—RELATED AGENCIES

##### ACTION

##### OPERATING EXPENSES

For expenses necessary for Action to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended (42 U.S.C. 4951 et seq.), \$150,164,000, of which \$17,000,000 shall be available to carry out title I, part A of said Act: *Provided*, That none of the funds appropriated under this heading may be used to close State or regional field offices.

42 USC 4951.

#### CORPORATION FOR PUBLIC BROADCASTING

##### PUBLIC BROADCASTING FUND

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934 as amended, an amount which shall be available within limitations specified by said Act, for the fiscal year 1987, \$200,000,000: *Provided*, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties and similar forms of entertainment for government officials or employees: *Provided further*, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity excluding from participation in, denying the benefits of, or discriminating against any person on the basis of race, color, national origin, religion or sex.

47 USC 609 note.

## FEDERAL MEDIATION AND CONCILIATION SERVICE

## SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor-Management Relations Act, 1947 (29 U.S.C. 171-180, 182), including expenses of the Labor-Management Panel and boards of inquiry appointed by the President, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia; and for expenses necessary pursuant to Public Law 93-360 for mandatory mediation in health care industry negotiation disputes and for convening factfinding boards of inquiry appointed by the Director in the health care industry; and for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 125a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95-454 (5 U.S.C. Chapter 71), \$23,611,000.

29 USC 152, 158,  
183, 169 and  
note.

29 USC 141 note.

5 USC 7101 *et*  
*seq.*

## FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

## SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 *et seq.*), \$3,837,000.

## NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

## SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91-345), \$720,000.

20 USC 1501  
note.

## NATIONAL COUNCIL ON THE HANDICAPPED

## SALARIES AND EXPENSES

For expenses necessary for the National Council on the Handicapped to carry out the provisions of the Vocational Rehabilitation Act of 1973, as amended (Public Law 98-221), \$750,000, of which \$300,000 shall be available for the employment of seven technical and professional staff persons in addition to the executive director.

*Ante*, p. 17.

## NATIONAL LABOR RELATIONS BOARD

## SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, \$137,964,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees

29 USC 141.

engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 per centum of the water stored or supplied thereby is used for farming purposes.

#### NATIONAL MEDIATION BOARD

##### SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151-188), including emergency boards appointed by the President, \$6,358,000.

#### OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

##### SALARIES AND EXPENSES

For the expenses necessary for the Occupational Safety and Health Review Commission, \$6,143,000.

#### PROSPECTIVE PAYMENT ASSESSMENT COMMISSION

For expenses necessary to carry out section 601 of Public Law 98-21, \$2,424,000 to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

97 Stat. 149.

#### RAILROAD RETIREMENT BOARD

##### DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, \$405,000,000, which shall be credited to the account in 12 approximately equal amounts on the first day of each month in the fiscal year.

97 Stat. 433.  
45 USC 231n.

##### FEDERAL PAYMENT TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for unnegotiated checks, \$15,000,000 which shall be the maximum amount available for payments pursuant to section 417 of Public Law 98-76: *Provided*, That these funds shall remain available through September 30, 1986.

45 USC 231t.

97 Stat. 437.

##### LIMITATION ON ADMINISTRATION

For expenses necessary for the Railroad Retirement Board, \$55,422,000 to be derived from the railroad retirement accounts: *Provided*, That such portion of the foregoing amount as may be necessary shall be available for the payment of personnel compensation and benefits for not less than 1,180 full-time equivalent employees: *Provided further*, That \$500,000 of the foregoing amount shall be available only to the extent necessary to process workloads not anticipated in the budget estimates and after maximum absorption of the costs of such workloads within the remainder of the existing limitation has been achieved: *Provided further*, That notwithstanding any other provision of law, no portion of this limitation shall be

available for payments of standard level user charges pursuant to section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(j); 45 U.S.C. 228a-r): *Provided further*, That \$910,000 of the funds provided under this limitation shall be available for construction of a new computer facility in the Railroad Retirement Board's headquarters building.

LIMITATION ON RAILROAD UNEMPLOYMENT INSURANCE  
ADMINISTRATION FUND

45 USC 367.

31 USC 1511 note  
*et seq.*

45 USC 361.

For further expenses necessary for the Railroad Retirement Board, for administration of the Railroad Unemployment Insurance Act, not less than \$16,678,000 shall be apportioned for fiscal year 1985 pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 655), from moneys credited to the railroad unemployment insurance administration fund, and of this amount \$3,038,000 shall be derived from contributions credited to the railroad unemployment insurance account and shall be credited to the railroad unemployment insurance administration fund as authorized by section 11(a)(iv) of the Railroad Unemployment Insurance Act: *Provided*, That such portion of the foregoing amount as may be necessary shall be available for the payment of personnel compensation and benefits for not less than 398 full-time equivalent employees: *Provided further*, That \$390,000 of the funds provided under this limitation shall be available for construction of a new computer facility in the Railroad Retirement Board's headquarters building.

SOLDIERS' AND AIRMEN'S HOME

OPERATION AND MAINTENANCE

For maintenance and operation of the United States Soldiers' and Airmen's Home, to be paid from the Soldiers' and Airmen's Home permanent fund, \$32,952,000: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the Home in United States Army hospitals at rates in excess of those prescribed by the Secretary of the Army upon recommendation of the Board of Commissioners and the Surgeon General of the Army.

CAPITAL OUTLAY

For construction and renovation of the physical plant, to be paid from the Soldiers' and Airmen's Home permanent fund, \$9,400,000, to remain available until expended.

TITLE V—GENERAL PROVISIONS

Prohibitions.

SEC. 501. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 502. No part of any appropriation contained in this Act shall be expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 *et seq.*), pursuant to any obligation for services by contract, unless such executive agency

has awarded and entered into such contract in full compliance with such Act and regulations promulgated thereunder.

SEC. 503. Appropriations contained in this Act, available for salaries and expenses, shall be available for 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.

SEC. 504. Appropriations contained in this Act, available for salaries and expenses, shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902).

SEC. 505. Appropriations contained in this Act, available for salaries and expenses, shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

SEC. 506. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, a grant, the salary of or any remuneration whatever to any individual applying for admission, attending, employed by, teaching at, or doing research at an institution of higher education who has engaged in conduct on or after August 1, 1969, which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curricula, or to prevent the faculty, administrative officials, or students in such institution from engaging in their duties or pursuing their studies at such institution.

SEC. 507. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided*, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 508. 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. 509. No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress.

SEC. 510. The Secretaries of Labor, Health and Human Services, and Education are each authorized to make available not to exceed \$7,500 from funds available for salaries and expenses under titles I, II, and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$2,500 from the funds available for "Salaries and expenses, Federal Mediation and Conciliation Service"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representa-

Research and  
development.

tion expenses not to exceed \$2,500 from funds available for "Salaries and expenses, National Mediation Board".

SEC. 511. None of the funds appropriated by this Act shall be used to pay for any research program or project or any program, project, or course which is of an experimental nature, or any other activity involving human participants, which is determined by the Secretary or a court of competent jurisdiction to present a danger to the physical, mental, or emotional well-being of a participant or subject of such program, project, or course, without the written, informed consent of each participant or subject, or a participant's parents or legal guardian, if such participant or subject is under eighteen years of age. The Secretary shall adopt appropriate regulations respecting this section.

SEC. 512. 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 the Secretaries of Labor, Health and Human Services, and Education, and medical officers and other health personnel on out-patient medical service who are exempted from such limitations under 31 U.S.C. 1344.

SEC. 513. Notwithstanding any other provision of this Act, no funds appropriated by this Act may be used to execute or carry out any contract with a non-governmental entity to administer or manage a Civilian Conservation center of the Job Corps which was not under such a contract as of September 1, 1984.

This Act may be cited as the "Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1985".

Approved November 8, 1984.

**LEGISLATIVE HISTORY—H.R. 6028 (S. 2836):**

HOUSE REPORTS: No. 98-911 (Comm. on Appropriations) and No. 98-1132 (Comm. of Conference).

SENATE REPORT No. 98-544 accompanying S. 2836 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 130 (1984):

Aug. 1, considered and passed House.

Sept. 21, 25, considered and passed Senate, amended.

Oct. 10, House agreed to conference report; receded from its amendments and concurred in certain Senate amendments; Senate agreed to conference report; receded from its amendments and concurred in House amendments.