

of a two-man drafting committee, he was one of the two people principally responsible for drafting the 1952 Patent Act, which served as the first codification of all our nation's federal patent laws and which has served this country well for half a decade without significant revision. In 1992, Judge Rich earned special recognition from President Bush for his contributions to the patent code of our nation's patent system.

Judge Rich served in private practice until 1956, when President Eisenhower appointed him as an associate judge for the Court of Customs and Patent Appeals (CCPA). Then, in 1982, he was appointed as a Circuit Judge for the CCPA's successor court, the U.S. Court of Appeals for the Federal Circuit, which holds exclusive jurisdiction for patent appeals. From his seat on the Federal Circuit, Judge Rich authored landmark decisions clarifying some of the most difficult concepts in patent law, including decisions that have been hailed as laying the foundation for the modern biotechnology industry and important cases dealing with the complex area of software and computer-related inventions.

Judge Rich was the distinguished recipient of a host of awards during his career, ranging from the Jefferson Medal of New Jersey Patent Law Association in 1955 to the Oldest Active Judge in U.S. History Recognized by Chief Justices in 1997. He was the inaugural recipient of the Pesquale J. Federico Memorial Award for outstanding service to the patent and trademark systems, awarded by the Patent and Trademark Office Society. He was awarded the Charles F. Kettering Award and Distinguished Government Service Award from the George Washington University. He was awarded the Harlan Fisk Stone Medal from Columbia University. There is a law school moot court competition sponsored by the American Intellectual Property Law Association—now in its 28th year—named in his honor. There is even an Inn of Court named in his honor. He has been awarded recognition from intellectual property law associations in cities across the country and, in 1997, was awarded the Centennial Visionary Award by the American Intellectual Property Law Association upon the commemoration of its 100th anniversary. He holds honorary Doctor of Law degrees from the George Washington University, John Marshall Law School, and George Mason University School of Law. And these are but a few of the many accolades Judge Rich has received throughout life.

As with all judges, many of those who followed Judge Rich's decisions admired and agreed with his legal theories, while others disagreed. But all respected his intelligence, strength, and ambition. He wrote in the history of the Court of Customs and Patent Appeals that “[c]ourts are people and little else. Law evolves from their manners of thinking at particular times

and from the interactions of people thinking.” Judge Giles S. Rich, as a person, helped transform our federal courts. He contributed to a body of statutory and judicial precedent that is unparalleled throughout much of our nation's history. Chief Judge Archer said of Judge Rich in 1994 that Judge Rich was “open-minded, flexible and respectful of the views of his colleagues. He [brought] to the art of judging the temperament and knowledge that are rarely equaled. It sets a high standard for all of us.” And as John Reilly stated in eulogizing Judge Rich, he was “a quiet jurist and gentleman who by his tireless scholarship and faithful devotion to the patent law, turned our American century into an inventive, productive powerhouse, to the benefit of us all.”

Judge Rich began his career as an intellectual property law practitioner and scholar at a time when radio broadcasts were the latest emerging technology, yet he lived to set much of the patent policy that formed the foundation for the digital revolution. For these contributions to American jurisprudence and our patent system, his presence will always be remembered by legislators, lawyers, and judges who reflect on the law that was made by the feisty judge that wasn't going to stop hearing cases until something forced him to do so.

Judge Rich, at one time, told an attentive audience of a verse his mother would recite, “The wise old owl lie in an oak. The more he saw, the less he spoke; the less he spoke the more he heard. Why can't we be more like that old bird?” The intellectual property community and all of us can learn a great deal from the “old bird,” Judge Rich. John Witherspoon, one of Judge Rich's former law clerks, once said that, “Giles Rich is a Master teacher—by which I mean, he doesn't teach at all; those around him simply learn.”

Many will miss his presence and the experiences it brought. I send my condolences out to his family, and my gratitude to the man who worked so hard to contribute to American jurisprudence and the preservation of America's status as a nation of inventors.●

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

On September 24, 1999, the Senate amended and passed H.R. 2684, as follows:

Resolved, That the bill from the House of Representatives (H.R. 2684) entitled “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, 2000, and for other purposes.”, do pass with the following amendment

Page 2, strike out all after line 9, over to and including line 3 on page 95, and insert:

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 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), \$21,568,364,000, to remain available until expended: Provided, That not to exceed \$38,079,000 of the amount appropriated shall be reimbursed to “General operating expenses” and “Medical care” for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the “Compensation and pensions” appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to “Medical facilities revolving fund” to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by 38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61, \$1,469,000,000, 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 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, \$28,670,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out 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, as amended: Provided further, That during fiscal year 2000, within the resources available, not to exceed \$300,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$156,958,000, 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, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$3,000.

In addition, for administrative expenses necessary to carry out the direct loan program,

\$214,000, 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, \$57,000, 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, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,531,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$415,000, 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 administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, \$520,000, which may be transferred to and merged with the appropriation for "General operating expenses".

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS 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 guaranteed loans as authorized by 38 U.S.C. chapter 37 subchapter VI, \$48,250,000, to remain available until expended: Provided, That no more than five loans may be guaranteed under this program prior to November 11, 2001: Provided further, That no more than fifteen loans may be guaranteed under this program: Provided further, That the total principal amount of loans guaranteed under this program may not exceed \$100,000,000: Provided further, That not to exceed \$750,000 of the amounts appropriated by this Act for "General operating expenses" and "Medical care", may be expended for the administrative expenses to carry out the guaranteed loan program authorized by 38 U.S.C. chapter 37, subchapter VI.

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

(INCLUDING TRANSFER OF FUNDS)

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; and furnishing recreational facilities, supplies, and equipment; funeral, burial, and other expenses incidental thereto for beneficiaries receiving care in the Department; 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; oversight, engineering and architectural activities not charged to project cost; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department, 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 5 U.S.C. 5901-5902; aid to State homes as authorized by 38 U.S.C. 1741; administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under 38 U.S.C. chapter 17, and the Federal Medical Care Recovery Act, 42 U.S.C. 2651 et seq.; and not to exceed \$8,000,000 to fund cost comparison studies as referred to in 38 U.S.C.

8110(a)(5), \$19,006,000,000, plus reimbursements: Provided, That of the funds made available under this heading, \$600,000,000 is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be available only to the extent that an official budget request 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 Congress: Provided further, That of the funds made available under this heading, \$635,000,000 is for the equipment and land and structures object classifications only, which amount shall not become available for obligation until August 1, 2000, and shall remain available until September 30, 2001: Provided further, That of the funds made available under this heading, not to exceed \$900,000,000 shall be available until September 30, 2001: Provided further, That of the funds made available under this heading, not to exceed \$27,907,000 may be transferred to and merged with the appropriation for "General operating expenses": Provided further, That the Department shall conduct by contract a program of recovery audits with respect to payments for hospital care; and, notwithstanding 31 U.S.C. 3302(b), amounts collected, by setoff or otherwise, as the result of such audits shall be available, without fiscal year limitation, for the purposes for which funds are appropriated under this heading and the purposes of paying a contractor a percent of the amount collected as a result of an audit carried out by the contractor: Provided further, That all amounts so collected under the preceding proviso with respect to a designated health care region (as that term is defined in 38 U.S.C. 1729A(d)(2)) shall be allocated, net of payments to the contractor, to that region.

In addition, in conformance with Public Law 105-33 establishing the Department of Veterans Affairs Medical Care Collections Fund, such sums as may be deposited to such Fund pursuant to 38 U.S.C. 1729A may be transferred to this account, to remain available until expended for the purposes of this account.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by 38 U.S.C. chapter 73, to remain available until September 30, 2001, \$316,000,000, plus reimbursements.

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; administrative expenses in support of capital policy activities, \$60,703,000 plus reimbursements: Provided, That project technical and consulting services offered by the Facilities Management Service Delivery Office, including technical consulting services, project management, real property administration (including leases, site acquisition and disposal activities directly supporting projects), shall be provided to Department of Veterans Affairs components only on a reimbursable basis, and such amounts will remain available until September 30, 2000.

GENERAL POST FUND, NATIONAL HOMES

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$7,000, as authorized by Public Law 102-54, section 8, which shall be transferred from the "General post fund": 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, as amended: 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 programs, \$54,000,

which shall be transferred from 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; 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, \$912,594,000: Provided, That funds under this heading shall be available to administer the Service Members Occupational Conversion and Training Act: Provided further, That travel expenditures for the immediate Office of the Secretary shall not exceed \$100,000.

NATIONAL CEMETERY ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the maintenance and operation of the National Cemetery Administration, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of two passenger motor vehicles for use in cemeterial operations; and hire of passenger motor vehicles, \$97,256,000: Provided, That of the amount made available under this heading, not to exceed \$117,000 may be transferred to and merged with the appropriation for "General operating expenses".

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$43,200,000: Provided, That of the amount made available under this heading, not to exceed \$30,000 may be transferred to and merged with the appropriation for "General operating expenses".

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, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is \$4,000,000 or more or where funds for a project were made available in a previous major project appropriation, \$70,140,000, to remain available until expended: Provided, That except for advance planning of projects (including market-based assessments of health care needs which may or may not lead to capital investments) 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 2000, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2000; and (2) by the awarding of a construction contract by September 30, 2001: Provided further, That the Secretary shall promptly report in writing to the Committees on Appropriations any approved major construction project in which obligations are not incurred within the time limitations established above: Provided further, That no funds from any other account except the "Parking 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.

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, offsite utility and storm drainage system construction costs, 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 \$4,000,000, \$175,000,000, 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 \$4,000,000: Provided, 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 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.

PARKING REVOLVING FUND

For the parking revolving fund as authorized by 38 U.S.C. 8109, income from fees collected, to remain available until expended, which shall be available for all authorized expenses except operations and maintenance costs, which will be funded from "Medical care".

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist 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 38 U.S.C. 8131-8137, \$90,000,000, to remain available until expended.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veteran cemeteries as authorized by 38 U.S.C. 2408, \$25,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Any appropriation for fiscal year 2000 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred to any other of the mentioned appropriations.

SEC. 102. Appropriations available to the Department of Veterans Affairs for fiscal year 2000 for salaries and expenses shall be available for services authorized by 5 U.S.C. 3109.

SEC. 103. No appropriations in this Act for the Department of Veterans Affairs (except the appropriations for "Construction, major projects", "Construction, minor projects", and the "Parking revolving fund") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 104. No appropriations in this Act for the Department of Veterans Affairs shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under 5 U.S.C. 7901-7904 or 42 U.S.C. 5141-5204), unless reimbursement of cost is made to the "Medical care" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 105. Appropriations available to the Department of Veterans Affairs for fiscal year 2000 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 corresponding prior year accounts within the last quarter of fiscal year 1999.

SEC. 106. Appropriations accounts available to the Department of Veterans Affairs for fiscal year 2000 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, except that if such obligations are from trust fund accounts they shall be payable from "Compensation and pensions".

SEC. 107. Notwithstanding any other provision of law, during fiscal year 2000, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the "General operating expenses" account for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2000, that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2000, which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 108. (a) **SENSE OF SENATE.**—It is the sense of the Senate that it should be the goal of the Department of Veterans Affairs to serve all veterans equitably at health care facilities in urban and rural areas.

(b) **REPORT REQUIRED.**—(1) Not later than six months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the impact of the allocation of funds under the Veterans Equitable Resource Allocation (VERA) funding formula on the rural subregions of the health care system administered by the Veterans Health Administration.

(2) The report shall include the following:

(A) An assessment of impact of the allocation of funds under the VERA formula on—

(i) travel times to veterans health care in rural areas;

(ii) waiting periods for appointments for veterans health care in rural areas;

(iii) the cost associated with additional community-based outpatient clinics;

(iv) transportation costs; and

(v) the unique challenges that Department of Veterans Affairs medical centers in rural, low-population subregions face in attempting to increase efficiency without large economies of scale.

(B) The recommendations of the Secretary, if any, on how rural veterans' access to health care services might be enhanced.

SEC. 109. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available in this Act for the Medical Care appropriation of the Department of Veterans Affairs may be obligated for the realignment of the health care delivery system in VISN 12 until 60 days after the Secretary of Veterans Affairs certifies that the Department has (1) consulted with veterans organizations, medical school affiliates, employee representatives, State veterans and health associations, and other interested parties with respect to the realignment plan to be implemented, and (2) made available to the Congress and the public infor-

mation from the consultations regarding possible impacts on the accessibility of veterans health care services to affected veterans.

SEC. 110. (a) **FINDINGS.**—The Senate makes the following findings:

(1) One of the most outrageous examples of the failure of the Federal Government to honor its obligations to veterans involves the so-called "atomic veterans", patriotic Americans who were exposed to radiation at Hiroshima and Nagasaki and at nuclear test sites.

(2) For more than 50 years, many atomic veterans have been denied veterans compensation for diseases, known as radiogenic diseases, that the Department of Veterans Affairs recognizes as being linked to exposure to radiation. Many of these diseases are lethal forms of cancer.

(3) The Department of Veterans Affairs almost invariably denies the claims for compensation of atomic veterans on the grounds that the radiation doses received by such veterans were too low to result in radiogenic disease, even though many scientists and former Under Secretary for Health Kenneth Kizer agree that the dose reconstruction analyses conducted by the Department of Defense are unreliable.

(4) Although the Department of Veterans Affairs already has a list of radiogenic diseases that are presumed to be service-connected, the Department omits three diseases—lung cancer, colon cancer, and central nervous system cancer—from that list, notwithstanding the agreement of scientists that the evidence of a link between the three diseases and low-level exposure to radiation is very convincing and, in many cases, is stronger than the evidence of a link between such exposure and other radiogenic diseases currently on that list.

(b) **SENSE OF SENATE.**—It is the sense of the Senate that lung cancer, colon cancer, and brain and central nervous system cancer should be added to the list of radiogenic diseases that are presumed by the Department of Veterans Affairs to be service-connected disabilities.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING HOUSING CERTIFICATE FUND

(INCLUDING TRANSFERS OF FUNDS)

For activities and assistance to prevent the involuntary displacement of low-income families, the elderly and the disabled because of the loss of affordable housing stock, expiration of subsidy contracts (other than contracts for which amounts are provided under another heading in this Act) or expiration of use restrictions, or other changes in housing assistance arrangements, and for other purposes, \$11,051,135,000, to remain available until expended: Provided, That of the total amount provided under this heading, \$10,855,135,000, of which \$6,655,135,000 shall be available on October 1, 1999 and \$4,200,000,000 shall be available on October 1, 2000, shall be for assistance under the United States Housing Act of 1937 ("The Act" herein) (42 U.S.C. 1437) for use in connection with expiring or terminating section 8 subsidy contracts, for enhanced vouchers (including renewals) as provided under the "Preserving Existing Housing Investment" account in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (Public Law 104-204) for families eligible for assistance under such Act, and contracts entered into pursuant to section 411 of the Stewart B. McKinney Homeless Assistance Act: Provided further, That the Secretary may determine not to apply section 8(o)(6)(B) of the Act to housing vouchers during fiscal year 2000: Provided further, That of the total amount provided under this heading, \$156,000,000 shall be for section 8 rental assistance under the Act including assistance to relocate residents of properties: (1) that are owned by the Secretary and being disposed of; or (2) that are discontinuing section 8 project-based assistance; for relocation and replacement housing for units that are demolished or disposed of

from the public housing inventory (in addition to amounts that may be available for such purposes under this and other headings); for the conversion of section 23 projects to assistance under section 8; for funds to carry out the family unification program; and for the relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency: Provided further, That of the total amount provided under this heading, \$40,000,000 shall be made available to nonelderly disabled families affected by the designation of a public housing development under section 7 of such Act, the establishment of preferences in accordance with section 651 of the Housing and Community Development Act of 1992 (42 U.S.C. 13611), or the restriction of occupancy to elderly families in accordance with section 658 of such Act, and to the extent the Secretary determines that such amount is not needed to fund applications for such affected families, to other nonelderly disabled families: Provided further, That no funds under this heading may be used for Regional Opportunity Counseling: Provided further, That all balances for the section 8 rental assistance, section 8 counseling, new construction sub-rehabilitation, relocation/replacement/demolition, section 23 conversions, rental and disaster vouchers, loan management set-aside, section 514 technical assistance, and programs previously funded within the "Annual Contributions" account shall be transferred to this account, to be available for the purposes for which they were originally appropriated: Provided further, That all balances previously recaptured in the "Section 8 Reserve Preservation" account shall be transferred to this account, to be available for the purposes for which they were originally appropriated: Provided further, That the unexpended amounts previously appropriated for special purpose grants within the "Annual Contributions for Assisted Housing" account shall be recaptured and transferred to this account, to be available for assistance under the Act for use in connection with expiring or terminating section 8 subsidy contracts: Provided further, That of the amounts previously appropriated for property disposition within the "Annual Contributions for Assisted Housing" account, up to \$79,000,000 shall be transferred to this account, to be available for assistance under the Act for use in connection with expiring or terminating section 8 subsidy contracts: Provided further, That of the unexpended amounts previously appropriated for carrying out the Low-Income Housing Preservation and Resident Homeownership Act of 1990 and the Emergency Low-Income Housing Preservation Act of 1987, other than amounts made available for rental assistance, within the "Annual Contributions for Assisted Housing" and "Preserving Existing Housing Investments" accounts, shall be recaptured and transferred to this account, to be available for assistance under the Act for use in connection with expiring or terminating section 8 subsidy contracts.

**PUBLIC HOUSING CAPITAL FUND
(INCLUDING TRANSFERS OF FUNDS)**

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437), \$2,555,000,000, to remain available until expended: Provided, That of the total amount, up to \$100,000,000 shall be for carrying out activities under section 9(d) of such Act, and technical assistance for the inspection of public housing units, contract expertise, and training and technical assistance directly or indirectly, under grants, contracts, or cooperative agreements, to assist in the oversight and management of public housing related to capital activities for lease adjustments to section 23 projects: Provided further, That no funds may be used under this heading for the purposes specified in

section 9(k) of the United States Housing Act of 1937, as in effect immediately before enactment of this Act: Provided further, That all balances for debt service for Public and Indian Housing and Public and Indian Housing Grants previously funded within the "Annual Contributions for Assisted Housing" account shall be transferred to this account, to be available for the purposes for which they were originally appropriated.

PUBLIC HOUSING OPERATING FUND

(INCLUDING TRANSFERS OF FUNDS)

For payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g), \$2,900,000,000, to remain available until expended: Provided, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as in effect immediately before enactment of this Act.

DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING

For grants to public housing agencies and Indian tribes and their tribally designated housing entities for use in eliminating crime in public housing projects authorized by 42 U.S.C. 11901-11908, for grants for federally assisted low-income housing authorized by 42 U.S.C. 11909, and for drug information clearinghouse services authorized by 42 U.S.C. 11921-11925, \$310,000,000, to remain available until expended: Provided, That of the total amount provided under this heading, up to \$5,000,000 shall be solely for technical assistance, training, and program assessment for or on behalf of public housing agencies, resident organizations, and Indian tribes and their tribally designated housing entities (including up to \$250,000 for the cost of necessary travel for participants in such training): Provided further, That of the amount provided under this heading, \$10,000,000 shall be used in connection with efforts to combat violent crime in public and assisted housing under the Operation Safe Home Program administered by the Inspector General of the Department of Housing and Urban Development: Provided further, That of the amount under this heading, \$10,000,000 shall be provided to the Office of Inspector General for Operation Safe Home: Provided further, That of the amount under this heading, \$20,000,000 shall be available for a program named the New Approach Anti-Drug program which will provide competitive grants to entities managing or operating public housing developments, federally assisted multifamily housing developments, or other multifamily housing developments for low-income families supported by non-Federal governmental entities or similar housing developments supported by nonprofit private sources in order to provide or augment security (including personnel costs), to assist in the investigation and/or prosecution of drug related criminal activity in and around such developments, and to provide assistance for the development of capital improvements at such developments directly relating to the security of such developments: Provided further, That grants for the New Approach Anti-Drug program shall be made on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989: Provided further, That the term "drug-related crime", as defined in 42 U.S.C. 11905(2), shall also include other types of crime as determined by the Secretary: Provided further, That none of the funds under this heading may be awarded pursuant to a Notice of Funding Availability which contains substantive program changes unless such program changes have been subject to review under notice and comment rulemaking: Provided further, That, notwithstanding section 5130(c) of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11909(c)), the Secretary may determine not to use any such funds to provide public housing youth sports grants.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE) VI

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects as authorized by section 24 of the United States Housing Act of 1937, \$500,000,000 to remain available until expended: Provided, That for purposes of environmental review pursuant to the National Environmental Policy Act of 1969, a grant under this heading or under prior appropriations Acts for use for the purposes under this heading shall be treated as assistance under title I of the United States Housing Act of 1937 and shall be subject to the regulations issued by the Secretary to implement section 26 of such Act: Provided further, That none of such funds shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgments, unless expressly permitted herein.

NATIVE AMERICAN HOUSING BLOCK GRANTS

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (Public Law 104-330), \$620,000,000, to remain available until expended, of which \$4,000,000 shall be used by the National American Indian Housing Council and up to \$2,000,000 by the Secretary to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the oversight and management of Indian housing and tenant-based assistance, including up to \$300,000 for related travel: Provided, That of the amount provided under this heading, \$6,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided further, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$54,600,000: Provided further, That for administrative expenses to carry out the guaranteed loan program, up to \$200,000 from amounts in the first proviso, which shall be transferred to and merged with the appropriation for departmental salaries and expenses, to be used only for the administrative costs of these guarantees.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (106 Stat. 3739), \$6,000,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$71,956,000.

In addition, for administrative expenses to carry out the guaranteed loan program, up to \$150,000 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for departmental salaries and expenses, to be used only for the administrative costs of these guarantees.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

For an Office of Rural Housing and Economic Development to be established in the Department of Housing and Urban Development, \$25,000,000, to remain available until expended: Provided, That of the amount under this heading, up to \$3,000,000 shall be used to develop capacity at the State and local level for developing rural housing and for rural economic development and for maintaining a clearinghouse of ideas for innovative strategies for rural housing and economic development and revitalization: Provided further, That the amount under this

heading, at least \$22,000,000 which amount shall be awarded by June 1, 2000 to Indian tribes, State housing finance agencies, State community and/or economic development agencies, local rural nonprofits and community development corporations to support innovative housing and economic development activities in rural areas: Provided further, That all grants shall be awarded on a competitive basis as specified in section 102 of the HUD Reform Act.

**COMMUNITY PLANNING AND DEVELOPMENT
HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS**

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901), \$232,000,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, the funds under this heading shall be awarded on a priority basis to renew and maintain existing programs funded under this heading: Provided further, That the Secretary may use up to 1 percent of the funds under this heading for technical assistance.

**COMMUNITY DEVELOPMENT BLOCK GRANTS
(INCLUDING TRANSFERS OF FUNDS)**

For grants to States and units of general local government and for related expenses, not otherwise provided for, to carry out a community development grants program as authorized by title I of the Housing and Community Development Act of 1974, as amended (the "Act" herein) (42 U.S.C. 5301), \$4,800,000,000, to remain available until September 30, 2002: Provided, That \$67,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, \$3,000,000 shall be available as a grant to the Housing Assistance Council, \$2,000,000 shall be available to support Alaska Native serving institutions and native Hawaiian serving institutions as defined under the Higher Education Act, as amended, \$1,800,000 shall be available as a grant to the National American Indian Housing Council, and \$45,500,000 shall be for grants pursuant to section 107 of the Act: Provided further, That all funding decisions under section 107 except as specified herein shall be subject to a reprogramming request unless otherwise specified in accordance with the terms and conditions specified in the committee report accompanying this Act: Provided further, That not to exceed 20 percent of any grant made with funds appropriated herein (other than a grant made available in this paragraph to the Housing Assistance Council or the National American Indian Housing Council, or a grant using funds under section 107(b)(3) of the Housing and Community Development Act of 1974, as amended) shall be expended for "Planning and Management Development" and "Administration" as defined in regulations promulgated by the Department: Provided further, That all balances for the Economic Development Initiative grants program, the John Heinz Neighborhood Development program, grants to Self Help Housing Opportunity program, and the Moving to Work Demonstration program previously funded within the "Annual Contributions for Assisted Housing" account shall be transferred to this account, to be available for the purposes for which they were originally appropriated.

Of the amount made available under this heading, \$25,000,000 shall be made available for "Capacity Building for Community Development and Affordable Housing," for LISC and the Enterprise Foundation for activities as authorized by section 4 of the HUD Demonstration Act of 1993 (Public Law 103-120), as in effect immediately before June 12, 1997, with not less than \$5,000,000 of the funding to be used in rural areas, including tribal areas.

Of the amount made available under this heading, the Secretary of Housing and Urban Development may use up to \$45,000,000 for supportive services for public housing residents, as authorized by section 34 of the United States Housing Act of 1937, as amended, and not less

than \$10,000,000 for grants for service coordinators and congregate services for the elderly and disabled residents of public and assisted housing: Provided further, That amounts made available for congregate services and service coordinators for the elderly and disabled under this heading and in prior fiscal years may be used by grantees to reimburse themselves for costs incurred in connection with providing service coordinators previously advanced by grantees out of other funds due to delays in the granting by or receipt of funds from the Secretary, and the funds so made available to grantees for congregate services or service coordinators under this heading or in prior years shall be considered as expended by the grantees upon such reimbursement. The Secretary shall not condition the availability of funding made available under this heading or in prior years for congregate services or service coordinators upon any grantee's obligation or expenditure of any prior funding.

Of the amount made available under this heading, notwithstanding any other provision of law, \$42,500,000 shall be available for YouthBuild program activities authorized by subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible activity with respect to any funds made available under this heading: Provided, That local YouthBuild programs that demonstrate an ability to leverage private and nonprofit funding shall be given a priority for YouthBuild funding: Provided further, That up to \$2,500,000 may be used for capacity buildings efforts.

Of the amount made available under this heading, \$110,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of economic development efforts, including \$95,000,000 for making individual grants for targeted economic investments in accordance with the terms and conditions specified for such grants in the committee report accompanying this Act.

For the cost of guaranteed loans, \$29,000,000, as authorized by section 108 of the Housing and Community Development Act of 1974: 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, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$1,261,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974: Provided further, That in addition, for administrative expenses to carry out the guaranteed loan program, \$1,000,000, which shall be transferred to and merged with the appropriation for departmental salaries and expenses.

The Secretary is directed to transfer the administration of the small cities component of the Community Development Block Grant Program for fiscal year 2000 and all fiscal years thereafter to the State of New York. No funds under this heading may be made available to grantees until the Secretary of Housing and Urban Development transfers the administration of the Small Cities component of the Community Development Block Grants program to the State of New York.

BROWNFIELDS REDEVELOPMENT

For Economic Development Grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, for Brownfields redevelopment projects, \$25,000,000, to remain available until expended: Provided, That the Secretary of Housing and Urban Development shall make these grants available on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME investment partnerships program, as authorized under title II of the Cran-

ston-Gonzalez National Affordable Housing Act (Public Law 101-625), as amended, \$1,600,000,000, to remain available until expended: Provided, That up to \$20,000,000 of these funds shall be available for Housing Counseling under section 106 of the Housing and Urban Development Act of 1968: Provided further, That all Housing Counseling program balances previously appropriated in the "Housing Counseling Assistance" account shall be transferred to this account, to be available for the purposes for which they were originally appropriated.

HOMELESS ASSISTANCE GRANTS

For the emergency shelter grants program (as authorized under subtitle B of title IV of the Stewart B. McKinney Homeless Assistance Act, as amended); the supportive housing program (as authorized under subtitle C of title IV of such Act); the section 8 moderate rehabilitation single room occupancy program (as authorized under the United States Housing Act of 1937, as amended) to assist homeless individuals pursuant to section 441 of the Stewart B. McKinney Homeless Assistance Act; and the shelter plus care program (as authorized under subtitle F of title IV of such Act), \$1,020,000,000, to remain available until expended: Provided, That not less than 30 percent of these funds shall be used for permanent housing, and all funding for services must be matched by 25 percent in funding by each grantee: Provided further, That the Secretary of Housing and Urban Development shall conduct a review of any balances of amounts provided under this heading in this or any previous appropriations Act that have been obligated but remain unexpended and shall deobligate any such amounts that the Secretary determines were obligated for contracts that are unlikely to be performed and award such amounts during this fiscal year: Provided further, That up to 1 percent of the funds appropriated under this heading may be used for technical assistance: Provided further, That all balances previously appropriated in the "Emergency Shelter Grants," "Supportive Housing," "Supplemental Assistance for Facilities to Assist the Homeless," "Shelter Plus Care," "Section 8 Moderate Rehabilitation Single Room Occupancy," and "Innovative Homeless Initiatives Demonstration" accounts shall be transferred to and merged with this account, to be available for any authorized purpose under this heading.

HOUSING PROGRAMS

HOUSING FOR SPECIAL POPULATIONS

For assistance for the purchase, construction, acquisition, or development of additional public and subsidized housing units for low income families not otherwise provided for, \$911,000,000, to remain available until expended: Provided, That \$710,000,000 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 the elderly under such section 202(c)(2), and for supportive services associated with the housing of which amount \$50,000,000 shall be for service coordinators and continuation of existing congregate services grants for residents of assisted housing projects, and for other eligible elderly persons residing in the neighborhood in which such projects are located on an exception basis, and of which amount \$50,000,000 shall be for grants for conversion of existing section 202 projects, or portions thereof, to assisted living or related use, subject to the provision that the Secretary shall select existing section 202 projects to receive such assistance on a competitive basis based on a set of conditions that take into account the need for and quality of the proposed alterations, the extent to which the application demonstrates the ability to complete the alterations promptly and successfully, past history of successful delivery of services

to the elderly, and such other factors as the Secretary deems appropriate: Provided further, That of the amount under this heading, \$201,000,000 shall be for capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance, for amendments to contracts for project rental assistance, and supportive services associated with the housing for persons with disabilities as authorized by section 811 of such Act: Provided further, That the Secretary may designate up to 25 percent of the amounts earmarked under this paragraph for section 811 of such Act for tenant-based assistance, as authorized under that section, including such authority as may be waived under the next proviso, which assistance is five years in duration: Provided further, That the Secretary may waive any provision of such section 202 and such section 811 (including the provisions governing the terms and conditions of project rental assistance and tenant-based assistance) that the Secretary determines is not necessary to achieve the objectives of these programs, or that otherwise impedes the ability to develop, operate or administer projects assisted under these programs, and may make provision for alternative conditions or terms where appropriate.

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 1999, and any collections made during fiscal year 2000, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.

FEDERAL HOUSING ADMINISTRATION

FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2000, 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 \$120,000,000,000.

During fiscal year 2000, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$100,000,000: Provided, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: Provided further, That no amounts made available to provide housing assistance with respect to the purchase of any single family real property owned by the Secretary or the Federal Housing Administration may discriminate between public and private elementary and secondary school teachers.

For administrative expenses necessary to carry out the guaranteed and direct loan program, \$330,888,000, of which not to exceed \$324,866,000 shall be transferred to the appropriation for departmental salaries and expenses; not to exceed \$4,022,000 shall be transferred to the appropriation for the Office of Inspector General. In addition, for administrative contract expenses, \$160,000,000: Provided, That to the extent guaranteed loan commitments exceed \$49,664,000 on or before April 1, 2000, an additional \$1,400 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$16,000,000.

FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), including the cost of loan guarantee modifications (as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended), \$153,000,000, including not to exceed \$153,000,000 from unobligated balances previously appropriated under this heading, to remain available until expended: Provided, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, of up to \$18,100,000,000: Provided further, That any amounts made available in any prior appropriations Act for the cost (as such term is defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans that are obligations of the funds established under section 238 or 519 of the National Housing Act that have not been obligated or that are deobligated shall be available to the Secretary of Housing and Urban Development in connection with the making of such guarantees and shall remain available until expended, notwithstanding the expiration of any period of availability otherwise applicable to such amounts.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed \$50,000,000; of which not to exceed \$30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed \$20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act: Provided further, That no amounts made available to provide housing assistance with respect to the purchase of any single family real property owned by the Secretary or the Federal Housing Administration may discriminate between public and private elementary and secondary school teachers.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, \$211,455,000 (including not to exceed \$147,000,000 from unobligated balances previously appropriated under this heading), of which \$193,134,000, shall be transferred to the appropriation for departmental salaries and expenses; and of which \$18,321,000 shall be transferred to the appropriation for the Office of Inspector General. In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, \$144,000,000: Provided, That to the extent guaranteed loan commitments exceed \$7,263,000,000 on or before April 1, 2000, an additional \$19,800 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments over \$7,263,000,000 (including a pro rata amount for any increment below \$1,000,000), but in no case shall funds made available by this proviso exceed \$14,400,000.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

During fiscal year 2000, 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 \$200,000,000,000.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, \$15,383,000, of which not to exceed \$9,383,000 shall be transferred to the appropriation for departmental salaries and expenses.

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)(i) of Reorganization Plan No. 2 of 1968, \$35,000,000, to remain available until September 30, 2001.

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, as amended, \$40,000,000, to remain available until September 30, 2001, of which \$20,000,000 shall be to carry out activities pursuant to such section 561: Provided, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by sections 1011 and 1053 of the Residential Lead-Based Hazard Reduction Act of 1992, \$80,000,000 to remain available until expended, of which \$10,000,000 shall be for a Healthy Homes Initiative, which shall be a program pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related environmental diseases and hazards: Provided, That all balances for the Lead Hazard Reduction Programs previously funded in the Annual Contributions for Assisted Housing and Community Development Block Grant accounts shall be transferred to this account, to be available for the purposes for which they were originally appropriated.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative 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, \$985,826,000, of which \$518,000,000 shall be provided from the various funds of the Federal Housing Administration, \$9,383,000 shall be provided from funds of the Government National Mortgage Association, \$1,000,000 shall be provided from the "Community Development Block Grants Program" account, \$150,000 shall be provided by transfer from the "Title VI Indian Federal Guarantees Program" account, and \$200,000 shall be provided by transfer from the "Indian Housing Loan Guarantee Fund Program" account: Provided, That the Secretary is prohibited from using any funds under this heading or any other heading in this Act to employ more than 9,300 employees, including any contract employees working on site in the Department: Provided further, That the Secretary is prohibited from using funds under this heading or any other heading in this Act after February 1, 2000 to employ any external community builders or to convert any external community builder to career employee after August 1, 1999: Provided further, That the Secretary is prohibited from using funds under this

heading or any other heading in this Act to employ more than 14 employees in the Office of Public Affairs: Provided further, That the Secretary is prohibited from using funds in excess of \$1,000,000 under this heading or any other heading in this Act to pay for travel: Provided further, That the Secretary may not reduce the staffing level at any Department of Housing and Urban Development State or local office.

OFFICE OF INSPECTOR GENERAL
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$95,910,000, of which \$22,343,000 shall be provided from the various funds of the Federal Housing Administration and \$10,000,000 shall be provided from the amount earmarked for Operation Safe Home in the "Drug Elimination Grants for Low-Income Housing" account: Provided, That the Inspector General shall have independent authority over all personnel issues within the Office of Inspector General: Provided further, That of the amount under this heading, \$10,000,000 shall be made available for the Inspector General to enter in contracts for independent financial audits of programs at the Department of Housing and Urban Development, including audits of internal financial accounts: Provided further, That the amount made available under the previous proviso shall remain available for obligation until September 30, 2001.

OFFICE OF FEDERAL HOUSING ENTERPRISE
OVERSIGHT
SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprise Financial Safety and Soundness Act of 1992, \$19,493,000, to remain available until expended, to be derived from the Federal Housing Enterprise Oversight Fund: Provided, That not to exceed such amount shall be available from the General Fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: Provided further, That the General Fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the General Fund estimated at not more than \$0.

ADMINISTRATIVE PROVISIONS
FINANCING ADJUSTMENT FACTORS

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent 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. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

FAIR HOUSING AND FREE SPEECH

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2000 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a government official or entity, or a court of competent jurisdiction.

ENHANCED DISPOSITION AUTHORITY

SEC. 203. Section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997, is amended by striking "fiscal years 1997, 1998 and 1999" and inserting "fiscal years 1999 and 2000".

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS GRANTS

SEC. 204. (a) ELIGIBILITY.—Section 854(c)(1)(A)(ii) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A))(ii), is amended by inserting after "clause (i)", a comma and "or States that received an allocation under this clause in a prior fiscal year".

(b) MINIMUM GRANT REPEALER.—Section 854(c)(2) of such Act is repealed.

(c) ENVIRONMENTAL REVIEW.—Section 856 of such Act is amended by adding the following new subsection at the end: "(h) ENVIRONMENTAL REVIEW.—For purposes of environmental review, decisionmaking, and action pursuant to the National Environmental Policy Act of 1969 and other provisions of law that further the purposes of such Act, a grant under this subtitle shall be treated as assistance for a special project that is subject to section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994 (42 U.S.C. 3547), and shall be subject to the regulations issued by the Secretary to implement such section.".

FHA MULTIFAMILY MORTGAGE CREDIT DEMONSTRATIONS

SEC. 205. Section 542 of the Housing and Community Development Act of 1992 is amended—

(1) in subsection (b)(5) by striking "during fiscal year 1999", and inserting "in each of fiscal years 1999 and 2000", and

(2) in the first sentence of subsection (c)(4) by striking "during fiscal year 1999" and inserting "in each of fiscal years 1999 and 2000".

CLARIFICATION OF OWNER'S RIGHT TO PREPAY

SEC. 206. (a) PREPAYMENT RIGHT.—Notwithstanding section 211 of the Housing and Community Development Act of 1987 or section 221 of the Housing and Community Development Act of 1987 (as in effect pursuant to section 604(c) of the Cranston-Gonzalez National Affordable Housing Act), subject to subsection (b), with respect to any project that is eligible low-income housing (as that term is defined in section 229 of the Housing and Community Development Act of 1987)—

(1) the owner of the project may prepay, and the mortgagee may accept prepayment of, the mortgage on the project, and

(2) the owner may request voluntary termination of a mortgage insurance contract with respect to such project and the contract may be terminated notwithstanding any requirements under sections 229 and 250 of the National Housing Act.

(b) CONDITIONS.—Any prepayment of a mortgage or termination of an insurance contract authorized under subsection (a) may be made—

(1) only to the extent that such prepayment or termination is consistent with the terms and conditions of the mortgage on or mortgage insurance contract for the project;

(2) only if the owner of the project involved agrees not to increase the rent charges for any dwelling unit in the project during the 60-day period beginning upon such prepayment or termination; and

(3) only if the owner of the project provides notice of intent to prepay or terminate, in such form as the Secretary of Housing and Urban Development may prescribe, to each tenant of the housing, the Secretary, and the chief executive officer of the appropriate State or local government for the jurisdiction within which the housing is located, not less than 150 days, but not more than 270 days, before such prepayment or termination, except that such requirement shall not apply to a prepayment or termination that—

(A) occurs during the 150-day period immediately following the date of the enactment of this Act;

(B) is necessary to effect conversion to ownership by a priority purchaser (as defined in section 231(a) of the Low-Income Housing Preservation and Resident Ownership Act of 1990 (12 U.S.C. 4120(a))), or

(C) will otherwise ensure that the project will continue to operate, at least until the maturity date of the loan or mortgage, in a manner that will provide rental housing on terms at least as advantageous to existing and future tenants as the terms required by the program under which the loan or mortgage was made or insured prior to the proposed prepayment or termination.

FUNDING OF CERTAIN PUBLIC HOUSING

SEC. 207. No funds in this Act or any other Act may hereafter be used by the Secretary of Housing and Urban Development to determine allocations or provide assistance for operating subsidies or modernization for certain State and city funded and locally developed public housing or assisted housing units, as described in section 9(n)(1)(B) of the United States Housing Act of 1937, unless such unit was so assisted before October 1, 1998.

FHA ADMINISTRATIVE CONTRACT EXPENSE AUTHORITY

SEC. 208. Section 1 of the National Housing Act (12 U.S.C. 1702) is amended by inserting the following new sentence after the first proviso: "For the purposes of this section, the term "nonadministrative" shall not include contract expenses that are not capitalized or routinely deducted from the proceeds of sales, and such expenses shall not be payable from funds made available by this Act."

FULL PAYMENT OF CLAIMS

SEC. 209. (a) Section 541 of the National Housing Act is amended—

(1) by amending the heading to read as follows: "PARTIAL PAYMENT OF CLAIMS ON DEFULTED MORTGAGES AND IN CONNECTION WITH MORTGAGE RESTRUCTURING"; and

(2) in subsection (b), by striking "partial payment of the claim under the mortgage insurance contract" and inserting, "partial or full payment of claim under one or more mortgage insurance contracts".

(b) Section 517 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 is amended by adding a new subsection (a)(6) to read as follows: "(6) The second mortgage under this section may be a first mortgage if no restructured or new first mortgage will meet the requirement of paragraph (1)(A)."

AVAILABILITY OF INCOME MATCHING INFORMATION

SEC. 210. (a) Section 3(f) of the United States Housing Act of 1937 (42 U.S.C. 1437a), as amended by section 508(d)(1) of the Quality Housing and Work Responsibility Act of 1998, is further amended—

(1) in paragraph (1)—

(A) after the first appearance of "public housing agency", by inserting ", or the owner responsible for determining the participant's eligibility or level of benefits,"; and

(B) after "as applicable", by inserting ", or to the owner responsible for determining the participant's eligibility or level of benefits"; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking "or";

(B) in subparagraph (B), by striking the period and inserting "or"; and

(C) by inserting at the end the following new subparagraph:

"(C) for which project-based assistance is provided under section 8, section 202, or section 811."

(b) Section 904(b) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 3544), as amended by section 508(d)(2) of the Quality Housing and Work Responsibility Act of 1998, is further amended in paragraph (4)—

(1) by inserting after "public housing agency" the first time it appears the following: ", or the owner responsible for determining the participant's eligibility or level of benefits,"; and

(2) by striking “the public housing agency verifying income” and inserting “verifying income”.

ELIMINATION OF SECRETARY PUBLIC HOUSING SET-ASIDE FUNDS

SEC. 211. Subsection (k) of section 9 of the United States Housing Act of 1937, as amended by the Quality Housing and Work Responsibility Act of 1998, is hereby deleted and the following subsections are redesignated, accordingly.

TECHNICAL CORRECTION TO THE DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1998

SEC. 212. (a) **EXEMPTIONS FROM RESTRUCTURING.**—Section 514(h)(1) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1998 is amended to read as follows:

“(1) the primary financing for the project was provided by a unit of State government or a unit of general local government (or an agency or instrumentality of either) and the primary financing involves mortgage insurance under the National Housing Act, such that the implementation of a mortgage restructuring and rental assistance sufficiency plan under this Act would be in conflict with applicable law or agreements governing such financing.”.

TECHNICAL CORRECTION TO FHA SINGLE FAMILY MORTGAGE LIMITS

SEC. 213. (a) **IN GENERAL.**—Section 203(b)(2)(A)(ii) of the National Housing Act (12 U.S.C. 1709(b)(2)(A)(ii)) is amended by inserting after “may not be less than” the following: “the greater of the dollar amount limitation in effect for the area on the date of enactment of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 1999.

LIMITATION ON COMPENSATION FOR PUBLIC HOUSING

SEC. 214. None of the funds appropriated in this title under the heading of the Public Housing Operating Fund shall be used to pay compensation of an individual, either as direct costs or any proration of an indirect cost, at a rate in excess of \$125,000, unless the Secretary of Housing and Urban Development certifies that such compensation should be increased on an individual basis due to special circumstances.

LIMITATION ON COMPENSATION FOR YOUTHBUILD

SEC. 215. None of the funds appropriated in this title for the Youthbuild program shall be used to pay compensation of an individual, either as direct costs or any proration of an indirect cost, at a rate in excess of \$125,000, unless the Secretary of Housing and Urban Development certifies that such compensation should be increased on an individual basis.

ADJUSTMENTS TO INCOME ELIGIBILITY FOR UNUSUALLY HIGH OR LOW FAMILIES INCOMES IN ASSISTED HOUSING

SEC. 216. Section 16 of the United States Housing Act of 1937 is amended—

(1) in subsection (a)(2)(A), by inserting before the period the following: “; except that the Secretary may establish income ceilings higher or lower than 30 percent of the area median income on the basis of the Secretary’s findings that such variations are necessary because of unusually high or low family incomes”; and

(2) in subsection (c)(3), by inserting before the period the following: “; except that the Secretary may establish income ceilings higher or lower than 30 percent of the area median income on the basis of the Secretary’s findings that such variations are necessary because of unusually high or low family incomes”.

GAO REIMBURSEMENT

SEC. 217. The Comptroller General of the United States shall certify to the Congress on a

quarterly basis on the cost of time attributable to the failure of the Department of Housing and Urban Development to cooperate in any investigation being conducted by the General Accounting Office with regard to the activities of the Department. Within 30 days of such certification, the Secretary of Housing and Urban Development shall reimburse the General Accounting Office for such costs from the Salaries and Expenses account of the Department of Housing and Urban Development.

HOME TECHNICAL CORRECTION

SEC. 218. Section 212(a)(1) of the Cranston-Gonzalez National Affordable Housing Act is amended in the first sentence by inserting after “community housing development organizations,” the following: “to preserve housing assisted or previously assisted with section 8 assistance.”.

EXEMPTION FOR ALASKA AND MISSISSIPPI FROM REQUIREMENT OF RESIDENT ON BOARD

SEC. 219. Public housing agencies in the states of Alaska and Mississippi shall not be required to comply with section 2(b) of the United States Housing Act of 1937, as amended, during fiscal year 2000.

ADMINISTRATION OF THE CDBG PROGRAM BY NEW YORK STATE

SEC. 220. The Secretary of Housing and Urban Development shall transfer on October 1, 1999 the administration of the Small Cities component of the Community Development Block Grants program, as established in the Housing and Community Development Act of 1974, to the State of New York to be administered by the Governor.

RENEWAL OF SECTION 8 PROJECT-BASED CONTRACTS

SEC. 221. (a) **IN GENERAL.**—Notwithstanding any other provision of law and except as provided in subsection (b) of this section, the Secretary may use amounts available for the renewal of assistance under section 8 of the United States Housing Act of 1937, upon the termination or expiration of a contract for assistance under section 8 (other than a contract for tenant-based assistance and notwithstanding section 8(v) of such Act for loan management assistance), to provide assistance under section 8 of such Act for a covered project (as defined under section 524(b)(2) of the Multifamily Assisted Housing Reform and Affordability Act) under this section at rent levels that do not exceed comparable market rents for the market area.

(b) **MANDATORY RENEWALS.**—The Secretary shall offer to renew at up to rent levels that do not exceed comparable market rents for the market area any contract for assistance under section 8 of the United States Housing Act of 1937 (other than a contract for tenant-based assistance and notwithstanding section 8(v) of such Act for loan management assistance) that has expired for any covered project (as defined under section 524(b)(2) of the Multifamily Assisted Housing Reform and Affordability Act)—

(1) in a low-vacancy area; or

(2) where a predominant number of units are occupied by elderly families, disabled families, or elderly and disabled families.

(c) **ESTABLISHMENT OF MARKET RENTS.**—The Secretary shall establish for units assisted with project-based assistance in covered projects (as defined under section 524(b)(2) of the Multifamily Assisted Housing Reform and Affordability Act) adjusted rent levels that are equivalent to rents based on appraisals that are derived from comparable properties if the market rent determination is based on not less than 2 comparable properties, including, if there are no comparable properties in the same market area, 2 properties that have been certified by the Secretary as similar to the covered properties as to neighborhood (including risk of crime), type of location, access, street appeal, age, property size, apartment mix, physical configuration, property and unit amenities, utilities, and other

relevant characteristics, provided that the comparable projects are not receiving project-based assistance.

(d) **10-YEAR CONTRACTS.**—Notwithstanding any other provision of law, the Secretary and owner of any covered project (as defined under section 524(b)(2) of the Multifamily Assisted Housing Reform and Affordability Act) may agree to up to a 10-year contract renewal for assistance under section 8 of the United States Housing Act of 1937 (other than a contract for tenant-based assistance and notwithstanding section 8(v) of such Act for loan management assistance) under which payments shall be subject to the annual availability of appropriations.

ENHANCED VOUCHER AUTHORITY

SEC. 222. (a) **IN GENERAL.**—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended by inserting after subsection (s) the following new subsection:

“(t) ENHANCED VOUCHERS.”

“(1) **IN GENERAL.**—Enhanced voucher assistance under this subsection for a family shall be voucher assistance under subsection (o), except that under such enhanced voucher assistance—

“(A) subject only to subparagraph (D), the assisted family shall pay as rent no less than the amount the family was paying on the date of the eligibility event for the project in which the family was residing on such date;

“(B) during any period that the assisted family continues residing in the same unit in which the family was residing on the date of the eligibility event for the project, if the rent for the dwelling unit of the family in such project exceeds the applicable payment standard established pursuant to subsection (o) for the unit, the amount of rental assistance provided on behalf of the family shall be determined using a payment standard that is equal to the rent for the dwelling unit (as such rent may be increased from time to time), subject to paragraph (10)(A) of subsection (o);

“(C) subparagraph (B) of this paragraph shall not apply and the payment standard for the dwelling unit occupied by the family shall be determined in accordance with subsection (o) if—

“(i) the assisted family moves, at any time, from such project; or

“(ii) the voucher is made available for use by any family other than the original family on behalf of whom the voucher was provided; and

“(D) if the income of the assisted family declines to a significant extent, the percentage of income paid by the family for rent shall not exceed the greater of 30 percent or the percentage of income paid at the time of the eligibility event for the project.

“(2) **ELIGIBILITY EVENT.**—For purposes of this subsection, the term ‘eligibility event’ means, with respect to a multifamily housing project, the prepayment of the mortgage on such housing project, the voluntary termination of the insurance contract for the mortgage for such housing project, or the termination or expiration of the contract for rental assistance under section 8 of the United States Housing Act of 1937 for such housing project, that, under paragraphs (3) and (4) of section 515(c) or section 524(b) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) or section 223(f) of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4113(f)), results in tenants in such housing project being eligible for enhanced voucher assistance under this subsection.

“(3) **TREATMENT OF ENHANCED VOUCHERS PROVIDED UNDER OTHER AUTHORITY.**—

“(A) **IN GENERAL.**—Notwithstanding any other provision of law, any enhanced voucher assistance provided under any authority specified in subparagraph (D) shall be treated, and subject to the same requirements, as enhanced voucher assistance under this subsection.

“(B) **IDENTIFICATION OF OTHER AUTHORITY.**—The authority specified in this subparagraph is the authority under—

“(i) the 10th, 11th, and 12th provisos under the ‘Preserving Existing Housing Investment’ account in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (Public Law 104-204; 110 Stat. 2884), pursuant to such provisos, the first proviso under the ‘Housing Certificate Fund’ account in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1998 (Public Law 105-65; 111 Stat. 1351), or the first proviso under the ‘Housing Certificate Fund’ account in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Public Law 105-276; 112 Stat. 2469); and

“(ii) paragraphs (3) and (4) of section 515(c) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note), as in effect before the enactment of this Act.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2000, 2001, 2002, 2003, and 2004 such sums as may be necessary for enhanced voucher assistance under this subsection.”.

(b) ENHANCED VOUCHERS UNDER MAHRAA.—Section 515(c) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by striking paragraph (4) and inserting the following new paragraph:

“(4) ASSISTANCE THROUGH ENHANCED VOUCHERS.—In the case of any family described in paragraph (3) that resides in a project described in section 512(2)(B), the tenant-based assistance provided shall be enhanced voucher assistance under section 8(t) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)).”.

(c) ENHANCED VOUCHERS FOR CERTAIN TENANTS IN PREPAYMENT AND VOLUNTARY TERMINATION PROPERTIES.—Section 223 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4113) is amended by adding at the end the following new subsection:

“(f) ENHANCED VOUCHER ASSISTANCE FOR CERTAIN TENANTS.—

“(1) AUTHORITY.—In lieu of benefits under subsections (b), (c), and (d), and subject to the availability of appropriated amounts, each family described in paragraph (2) shall be offered enhanced voucher assistance under section 8(t) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)).

“(2) ELIGIBLE FAMILIES.—A family described in this paragraph is a family that is—

“(A) a low-income family or a moderate-income family;

“(B) an elderly family, a disabled family, or residing in a low-vacancy area; and

“(C) residing in eligible low-income housing on the date of the prepayment of the mortgage or voluntary termination of the insurance contract.”.

(d) ENHANCED VOUCHERS FOR EXPIRING CONTRACTS.—Section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by adding at the end the following new subsection:

“(b) ENHANCED VOUCHER ASSISTANCE FOR COVERED RESIDENTS.—

“(1) IN GENERAL.—In the case of a contract for project-based assistance under section 8 for a covered project that is not renewed under subsection (a) of this section (or any other authority), to the extent that amounts for assistance under this subsection are provided in advance in appropriation Acts, upon the date of the expiration of such contract the Secretary—

“(A) shall make enhanced voucher assistance under section 8(t) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)) available on behalf of each covered resident of the covered project; and

“(B) may make enhanced voucher assistance under such section available on behalf of any

other low-income family who, upon the date of such expiration, is residing in an assisted dwelling unit in the covered project.

“(2) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

“(A) ASSISTED DWELLING UNIT.—The term ‘assisted dwelling unit’ means a dwelling unit that—

“(i) is in a covered project; and

“(ii) is covered by rental assistance provided under the contract for project-based assistance for the covered project.

“(B) COVERED PROJECT.—The term ‘covered project’ means any housing that—

“(i) consists of more than 4 dwelling units;

“(ii) is covered in whole or in part by a contract for project-based assistance under—

“(I) the new construction or substantial rehabilitation program under section 8(b)(2) of the United States Housing Act of 1937 (as in effect before October 1, 1983);

“(II) the property disposition program under section 8(b) of the United States Housing Act of 1937;

“(III) the moderate rehabilitation program under section 8(e)(2) of the United States Housing Act of 1937 (as in effect before October 1, 1991);

“(IV) the loan management assistance program under section 8 of the United States Housing Act of 1937;

“(V) section 23 of the United States Housing Act of 1937 (as in effect before January 1, 1975);

“(VI) the rent supplement program under section 101 of the Housing and Urban Development Act of 1965, or

“(VII) section 8 of the United States Housing Act of 1937, following conversion from assistance under section 101 of the Housing and Urban Development Act of 1965,

which contract will under its own terms expire during the period consisting of fiscal years 2000 through 2004;

“(iii) is not housing for which residents are eligible for enhanced voucher assistance pursuant to section 223(f) of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4113(f)); and

“(iv) is not housing for which residents are eligible for enhanced voucher assistance pursuant to paragraphs (3) and (4) of section 515(c) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note).

“(C) COVERED RESIDENT.—The term ‘covered resident’ means a family who—

“(i) upon the date of the expiration of the contract for project-based assistance for a covered project, is residing in an assisted dwelling unit in the covered project; and

“(ii) as a result of a rent increase occurring after the date of such contract expiration is subject to a rent for such unit that exceeds 30 percent of adjusted income.”.

HOUSING FINANCE AGENCIES

SEC. 223. The Secretary may contract with State or local housing finance agencies that have been selected as a Participating Administrative Entity under the Multifamily Assisted Housing Reform and Affordability Act of 1997 for determining the market rental rates of a covered project as defined under such Act.

SECTION 202 EXEMPTION

SEC. 224. Notwithstanding section 202 of the Housing Act of 1959 or any other provision of law, Peggy A. Burgin may not be disqualified on the basis of age from residing at Clark’s Landing in Groton, Vermont.

DARLINTON PRESERVATION AMENDMENT

SEC. 225. Notwithstanding any other provision of law, upon prepayment of the FHA-insured Section 236 mortgage, the Secretary shall continue to provide interest reduction payment in accordance with the existing amortization schedule for Darlington Manor Apartments, a 100-unit project located at 606 North 5th Street, Bozeman, Montana, which will continue as affordable housing pursuant to a use agreement with the State of Montana.

SECTION 236 IRP REFORM

SEC. 226. Section 236(g) of the National Housing Act is amended, in the last sentence, by inserting “or a project owner with a mortgage formerly insured under this section (if such mortgage is held by the Secretary and such project owner is current with respect to the mortgage obligation),” before “may retain”.

RISK-SHARING PRIORITY

SEC. 227. Section 517(b)(3) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1998 is amended by inserting after “1992.” the following: “The Secretary shall give a priority to risk-shared financing under section 542(c) of the Housing and Community Development Act of 1992 for any mortgage restructuring, rehabilitation financing, or debt refinancing included as part of a mortgage restructuring and rental assistance sufficiency plan if the terms and conditions will result in reduced risk of loss to the federal government.”.

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, \$26,467,000, to remain available until expended: Provided, That the American Battle Monuments Commission may borrow up to \$65,000,000 from the Treasury of the United States for the construction of the World War II memorial in the District of Columbia on such terms and conditions as required by the Secretary of the Treasury.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, and for services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, \$6,500,000: Provided, That the Chemical Safety and Hazard Investigation Board shall have not more than three career Senior Executive Service positions.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

FUND PROGRAM ACCOUNT

For grants, loans, and technical assistance to qualifying community development lenders, and administrative expenses of the Fund, including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES-3, \$80,000,000, to remain available until September 30, 2001, of which \$12,000,000 may be used for the cost of direct loans, and up to \$1,000,000 may be used for administrative expenses to carry out the direct loan program: Provided, That the cost of direct loans, 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 \$32,000,000: Provided further, That not more than \$25,000,000 of the funds made available under this heading may be used for programs and activities authorized in

section 114 of the Community Development Banking and Financial Institutions Act of 1994.

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 maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed \$500 for official reception and representation expenses, \$49,500,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Corporation for National and Community Service (referred to in the matter under this heading as the "Corporation") in carrying out programs, activities, and initiatives under the National and Community Service Act of 1990 (referred to in the matter under this heading as the "Act") (42 U.S.C. 12501 et seq.), \$423,500,000, to remain available until September 30, 2000: Provided, That not more than \$27,000,000 shall be available for administrative expenses authorized under section 501(a)(4) of the Act (42 U.S.C. 12671(a)(4)): Provided further, That not more than \$2,500 shall be for official reception and representation expenses: Provided further, That not more than \$70,000,000, to remain available without fiscal year limitation, shall be transferred to the National Service Trust account for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601 et seq.), of which not to exceed \$5,000,000 shall be available for national service scholarships for high school students performing community service: Provided further, That not more than \$224,500,000 of the amount provided under this heading shall be available for grants under the National Service Trust program authorized under subtitle C of title I of the Act (42 U.S.C. 12571 et seq.) (relating to activities including the AmeriCorps program), of which not more than \$40,000,000 may be used to administer, reimburse, or support any national service program authorized under section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2)): Provided further, That not more than \$7,500,000 of the funds made available under this heading shall be made available for the Points of Light Foundation for activities authorized under title III of the Act (42 U.S.C. 12661 et seq.): Provided further, That no funds shall be available for national service programs run by Federal agencies authorized under section 121(b) of such Act (42 U.S.C. 12571(b)): Provided further, That to the maximum extent feasible, funds appropriated under subtitle C of title I of the Act shall be provided in a manner that is consistent with the recommendations of peer review panels in order to ensure that priority is given to programs that demonstrate quality, innovation, replicability, and sustainability: Provided further, That not more than \$18,000,000 of the funds made available under this heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the Act (42 U.S.C. 12611 et seq.): Provided further, That not more than \$43,000,000 shall be available for school-based and community-based service-learning programs authorized under subtitle B of title I of the Act (42 U.S.C. 12521 et seq.): Provided further, That not more than \$28,500,000 shall be available for quality and innovation activities authorized under subtitle H of title I of the Act (42 U.S.C. 12853 et seq.): Provided further, That not more than \$5,000,000 shall be available for audits and other evaluations authorized under section 179 of the Act (42 U.S.C. 12639): Provided further, That to the maximum extent practicable, the Corporation shall increase significantly the level

of matching funds and in-kind contributions provided by the private sector, shall expand significantly the number of educational awards provided under subtitle D of title I, and shall reduce the total Federal costs per participant in all programs: Provided further, That of amounts available in the National Service Trust account from previous appropriations acts, \$80,000,000 shall be rescinded.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$5,000,000.

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. 7251-7298, \$11,450,000, of which \$910,000, shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-229.

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 one passenger motor vehicle for replacement only, and not to exceed \$1,000 for official reception and representation expenses, \$12,473,000, to remain available until expended.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefore, 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 maximum rate payable for senior level positions under 5 U.S.C. 5376; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project, \$642,483,000, which shall remain available until September 30, 2001: Provided, That the obligated balance of sums available in this account shall remain available through September 30, 2008 for liquidating obligations made in fiscal years 2000 and 2001: Provided further, That the obligated balance of funds transferred to this account in Public Law 105-276 shall remain available through September 30, 2007 for liquidating obligations made in fiscal years 1999 and 2000.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefore, 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 maximum rate payable for senior level positions under 5 U.S.C. 5376; 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,

\$1,897,000,000, which shall remain available until September 30, 2001, and of which not less than \$12,000,000 shall be derived from pro rata transfers of amounts made available under each other heading under the heading "ENVIRONMENTAL PROTECTION AGENCY" and shall be available for the Montreal Protocol Fund: Provided, That the obligated balance of such sums shall remain available through September 30, 2008 for liquidating obligations made in fiscal years 2000 and 2001: Provided further, That personnel compensation and benefits costs shall not exceed \$900,000,000: Provided further, That none of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol: Provided further, That notwithstanding 7 U.S.C. 136r and 15 U.S.C. 2609, beginning in fiscal year 2000 and thereafter, grants awarded under section 20 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, and section 10 of the Toxic Substances Control Act, as amended, shall be available for research, development, monitoring, public education, training, demonstrations, and studies.

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, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed \$75,000 per project, \$32,409,000, to remain available until September 30, 2001: Provided, That the sums available in this account shall remain available through September 30, 2008 for liquidating obligations made in fiscal years 2000 and 2001: Provided further, That the obligated balance of funds transferred to this account in Public Law 105-276 shall remain available through September 30, 2007 for liquidating obligations made in fiscal years 1999 and 2000.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, \$25,930,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFER OF FUNDS)

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; not to exceed \$1,400,000,000 (of which \$100,000,000 shall not become available until September 1, 2000), including \$650,000,000 as appropriated under this heading in Public Law 105-276, notwithstanding the language in the sixth proviso under this heading of such Act which conditions the availability of such funds for obligation upon enactment by August 1, 1999 of specific Superfund reauthorization legislation, and the seventh proviso; all of which is to remain available until expended, consisting of \$700,000,000, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101-508, and \$700,000,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended by Public Law 101-508: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section

111(a) of CERCLA: Provided further, That \$10,753,100 of the funds appropriated under this heading shall be transferred to the "Office of Inspector General" appropriation to remain available until September 30, 2001: Provided further, That notwithstanding section 111(m) of CERCLA or any other provision of law, \$70,000,000 of the funds appropriated under this heading shall be available to the Agency for Toxic Substances and Disease Registry (ATSDR) to carry out activities described in sections 104(i), 111(c)(4), and 111(c)(14) of CERCLA and section 118(f) of SARA: Provided further, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: Provided further, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A): Provided further, That \$38,000,000 of the funds appropriated under this heading shall be transferred to the "Science and Technology" appropriation to remain available until September 30, 2001: 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 2000.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

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, \$71,556,000, to remain available until expended.

OIL SPILL RESPONSE

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, \$15,000,000, to be derived from the Oil Spill Liability trust fund, and to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, \$3,250,000,000, to remain available until expended, of which \$1,350,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended; \$825,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended, except that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in this Act, or in previous appropriations acts, shall be reserved by the Administrator for health effects studies on drinking water contaminants; \$50,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; \$30,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages; \$100,000,000 shall be for making grants for the construction of wastewater and water treatment facilities and groundwater protection infrastructure in accordance with the terms and conditions speci-

fied for such grants in Senate Report 106-161 accompanying this Act (S. 1596); \$885,000,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104-134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities; and \$10,000,000 for competitive grants to States and federally-recognized Indian tribes to develop and implement integrated information systems to improve environmental decisionmaking, reduce the burden on regulated entities and improve the reliability of information available to the public: Provided, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, as amended, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2000 and hereafter where such amounts represent costs of administering the fund, to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: Provided further, That beginning in fiscal year 2000 and thereafter, notwithstanding section 518(f) of the Federal Water Pollution Control Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to Indian Tribes pursuant to section 319(h) and 518(e) of that Act: Provided further, That the \$2,200,000 appropriated in Public Law 105-276 in accordance with House Report No. 105-769, for a grant to the Charleston, Utah Water Conservancy District, as amended by Public Law 106-31, shall be awarded to Wasatch County, Utah, for water and sewer needs: Provided further, That the funds appropriated under this heading in Public Law 105-276 for the City of Fairbanks, Alaska, water system improvements shall instead be for the Matanuska-Susitna Borough, Alaska, water and sewer improvements.

ADMINISTRATIVE PROVISION

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency shall not award any funds under any heading in this Act to a non-profit organization as defined by section 501(c)(3) of the Internal Revenue Code unless such organization has certified that it has not used federal funds to engage in litigation against the United States.

EXECUTIVE OFFICE OF THE PRESIDENT

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, and 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, \$5,201,000.

COUNCIL ON ENVIRONMENTAL QUALITY AND

OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, \$2,675,000: Provided, That, notwithstanding any other provision of law, no funds other than those appropriated under this heading shall be used for or by the Council on Environmental Quality and Office of Environmental Quality: Provided further, That notwithstanding

section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

FEDERAL DEPOSIT INSURANCE CORPORATION

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, \$34,666,000, to be derived from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$300,000,000, and, notwithstanding 42 U.S.C. 5203, to remain available until expended, of which not to exceed \$2,900,000 may be transferred to "Emergency Management Planning and Assistance" for the consolidated emergency management performance grant program.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM

ACCOUNT

For the cost of direct loans, \$1,295,000, as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act: 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, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$25,000,000.

In addition, for administrative expenses to carry out the direct loan program, \$420,000.

EMERGENCY Y2K ASSISTANCE

For expenses related to Year 2000 conversion costs for counties and local governments, \$100,000,000, to remain available until September 30, 2001: Provided, That the Director of the Federal Emergency Management Agency shall carry out a Year 2000 conversion local government emergency grant and loan program for the purpose of providing emergency funds through grants or loans of not to exceed \$1,000,000 for each county and local government that is facing Year 2000 conversion failures after January 1, 2000 that could adversely affect public health and safety: Provided further, That of the funds made available to a county or local government under this provision, 50 percent shall be a grant and 50 percent shall be a loan which shall be repaid to the Federal Emergency Management Agency at the prime rate within 5 years of the loan: Provided further, That none of the funds provided under this heading may be transferred to any county or local government until 15 days after the Director of the Federal Emergency Management Agency has submitted to the House and Senate Committees on Appropriations, the Senate Special Committee on the Year 2000 Technology Problem, the House Committee on Science, and the House Committee on Government Reform a proposed allocation and plan for that county or local government to achieve Year 2000 compliance for systems directly related to public health and safety programs: Provided further, That the entire amount shall be available only to the extent that an official budget request 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, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, \$2,675,000: Provided, That, notwithstanding any other provision of law, no funds other than those appropriated under this heading shall be used for or by the Council on Environmental Quality and Office of Environmental Quality: Provided further, That notwithstanding

Provided further, That of the amounts provided under the heading "Funds Appropriated to the President" in title III of Division B of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277), \$100,000,000 are rescinded.

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, including hire and purchase of motor vehicles as authorized by 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 maximum rate payable for senior level positions under 5 U.S.C. 5376; 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, \$180,000,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$8,015,000.

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 Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947, as amended (50 U.S.C. 404-405), and Reorganization Plan No. 3 of 1978, \$255,850,000: Provided, That for purposes of pre-disaster mitigation pursuant to 42 U.S.C. 5131 (b) and (c) and 42 U.S.C. 5196 (e) and (i), \$25,000,000 of the funds made available under this heading shall be available until expended for project grants: Provided further, That beginning in fiscal year 2000 and thereafter, and notwithstanding any other provision of law, the Director of FEMA is authorized to provide assistance from funds appropriated under this heading, subject to terms and conditions as the Director of FEMA shall establish, to any State for multi-hazard preparedness and mitigation through consolidated emergency management performance grants: Provided further, That notwithstanding any other provision of law, FEMA shall extend its cooperative agreement for the Jones County, Mississippi Emergency Operating Center, and the \$250,000 obligated as federal matching funds for that Center shall remain available for expenditure until September 30, 2001.

EMERGENCY FOOD AND SHELTER PROGRAM

To carry out an emergency food and shelter program pursuant to title III of Public Law 100-77, as amended, \$110,000,000, to remain available until expended: Provided, That total administrative costs shall not exceed three and one-half percent of the total appropriation.

RADIOLOGICAL EMERGENCY PREPAREDNESS FUND

The aggregate charges assessed during fiscal year 2000, as authorized by Public Law 105-276, shall not be less than 100 percent of the amounts anticipated by the Director of the Federal Emergency Management Agency (FEMA) necessary for its radiological emergency preparedness program for the next fiscal year. The methodology for assessment and collection of fees shall be fair and equitable; and shall reflect costs of providing such services, including administrative

costs of collecting such fees. Fees received pursuant to this section shall be deposited in the Fund as offsetting collections and will become available for authorized purposes on October 1, 2000, and remain available until expended.

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities under the National Flood Insurance Act of 1968, the Flood Disaster Protection Act of 1973, as amended, not to exceed \$24,333,000 for salaries and expenses associated with flood mitigation and flood insurance operations, and not to exceed \$78,710,000 for flood mitigation, including up to \$20,000,000 for expenses under section 1366 of the National Flood Insurance Act, which amount shall be available for transfer to the National Flood Mitigation Fund until September 30, 2001. In fiscal year 2000, no funds in excess of: (1) \$47,000,000 for operating expenses; (2) \$456,427,000 for agents' commissions and taxes; and (3) \$50,000,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund without prior notice to the Committees on Appropriations. For fiscal year 2000, flood insurance rates shall not exceed the level authorized by the National Flood Insurance Reform Act of 1994.

Section 1309(a)(2) of the National Flood Insurance Act (42 U.S.C. 4016(a)(2)), as amended by Public Law 104-208, is further amended by striking "1999" and inserting "2000".

The first sentence of section 1376(c) of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4127(c)), is amended by striking "September 30, 1999" and inserting "September 30, 2000".

NATIONAL INSURANCE DEVELOPMENT FUND

To liquidate the indebtedness of the Director of the Federal Emergency Management Agency resulting from prior borrowing pursuant to the Urban Property Protection and Reinsurance Act of 1968, as amended (12 U.S.C. 1749bbb et seq.), \$3,730,100.

GENERAL SERVICES ADMINISTRATION

CONSUMER INFORMATION CENTER FUND

For necessary expenses of the Consumer Information Center, including services authorized by 5 U.S.C. 3109, \$2,622,000, 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 \$7,500,000. Appropriations, revenues, and collections accruing to this fund during fiscal year 2000 in excess of \$7,500,000 shall remain in the fund and shall not be available for expenditure except as authorized in appropriations Acts.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

INTERNATIONAL SPACE STATION

(INCLUDING TRANSFER OF FUNDS)

For the necessary expenses, not otherwise provided for, in support of the International Space Station, including development, operations and research support; maintenance; construction of facilities including repair, rehabilitation, and modification of real and personal property, and acquisition or condemnation of real property, as authorized by law; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$2,482,700,000, to remain available until September 30, 2001: Provided, That funds under this heading may be used to support eligible activities under the Launch Vehicles and Payload Operations account, subject to reprogramming approval of such transfer by the Senate and House Appropriations Committees.

LAUNCH VEHICLES AND PAYLOAD OPERATIONS

For the necessary expenses, not otherwise provided for, in support of the space shuttle program, including safety and performance upgrades, space shuttle operations, and payload

utilization and operations, and services; maintenance; construction of facilities including repair, rehabilitation, and modification of real and personal property, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$3,156,000,000, to remain available until September 30, 2001: Provided, That none of the funds under this heading may be used to support the development or operations of the International Space Station other than the costs of space shuttle flights utilized for space station assembly.

SCIENCE, AERONAUTICS AND TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and technology research and development activities, including research, development, operations, and services; maintenance; construction of facilities including repair, rehabilitation, and modification of real and personal property, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$5,424,700,000, to remain available until September 30, 2001.

MISSION SUPPORT

For necessary expenses, not otherwise provided for, in carrying out mission support for human space flight programs and science, aeronautical, and technology programs, including research operations and support; space communications activities including operations, production and services; maintenance; construction of facilities including repair, rehabilitation, and modification of facilities, minor construction of new facilities and additions to existing facilities, facility planning and design, environmental compliance and restoration, and acquisition or condemnation of real property, as authorized by law; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; travel expenses; purchase, lease, charter, maintenance, and operation of mission and administrative aircraft; not to exceed \$35,000 for official reception and representation expenses; and purchase (not to exceed 33 for replacement only) and hire of passenger motor vehicles, \$2,495,000,000, to remain available until September 30, 2001.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$20,000,000.

ADMINISTRATIVE PROVISIONS

Notwithstanding the limitation on the availability of funds appropriated for "International Space Station", "Launch vehicles and payload operations", "Science, aeronautics and technology", or "Mission support" by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities as authorized by law, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated in "Mission support" 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.

Notwithstanding the limitation on the availability of funds appropriated for "International Space Station", "Launch vehicles and payload operations", "Science, aeronautics and technology", or "Mission support" by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 2002.

Notwithstanding the limitation on the availability of funds appropriated for "Mission support" and "Office of Inspector General", amounts made available by this Act for personnel and related costs and travel expenses of the National Aeronautics and Space Administration shall remain available until September 30, 2000 and may be used to enter into contracts for training, investigations, costs associated with personnel relocation, and for other services, to be provided during the next fiscal year.

Except for activities identified for fiscal year 2000 or prior fiscal years as part of the budget for the International Space Station, NASA shall terminate any discrete program or activity that exceeds either its annual or aggregate budget by fifteen percent as provided in NASA's budget justifications.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 2000, the administrative expenses of the Central Liquidity Facility in fiscal year 2000 shall not exceed \$257,000.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out 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; \$3,007,300,000, of which not to exceed \$253,630,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program; the balance to remain available until September 30, 2001: 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 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 \$60,000,000 of the funds available under this heading shall be made available for a comprehensive research initiative on plant genomes for economically significant crop: Provided further, That none of the funds appropriated or otherwise made available to the National Science Foundation in this or any prior Act may be obligated or expended by the National Science Foundation to enter into or extend a grant, contract, or cooperative agreement for the support of administering the domain name and numbering system of the Internet after September 30, 1998: Provided further, That no funds in this or any other Act shall be used to acquire or lease a research vessel with ice-breaking capability built or retrofitted 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 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 if the vessel contracted for pursuant to the foregoing is not available for the 2002–2003 austral summer Antarctic season, a vessel of any origin may be leased for a period of not to exceed 120 days for that season and each season thereafter until delivery of the new vessel.

MAJOR RESEARCH EQUIPMENT

For necessary expenses of major construction projects pursuant to the National Science Foundation Act of 1950, as amended, including award-related travel, \$70,000,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to 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, award-related travel, and rental of conference rooms in the District of Columbia, \$688,600,000, to remain available until September 30, 2001: 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: Provided further, That \$55,000,000 shall be available for the purpose of establishing an office of innovation partnerships.

SALARIES AND EXPENSES

For salaries and expenses necessary in carrying out 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 \$9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 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; \$150,000,000: Provided, That contracts may be entered into under "Salaries and expenses" in fiscal year 2000 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 as authorized by the Inspector General Act of 1978, as amended, \$5,550,000, to remain available until September 30, 2001.

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), \$60,000,000.

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 5 U.S.C. 4101–4118 for civilian employees; and not to exceed \$1,000 for official reception and representation expenses; \$25,250,000: 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.

TITLE IV—GENERAL PROVISIONS

SEC. 401. 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 therefore in the budget estimates submitted for the appropriations: Provided, That this provision does not apply to accounts that do not contain an object classification for travel: Provided further, 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 therefore set forth in the estimates in the same proportion.

SEC. 402. Appropriations and funds available for the administrative 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 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109.

SEC. 403. 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, 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. 404. 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. 405. 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. 406. 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 their domicile and their place of employment, with the exception of any officer or employee authorized such transportation under 31 U.S.C. 1344 or 5 U.S.C. 7905.

SEC. 407. 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. 408. None of the funds 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 rate paid for level IV of the Executive Schedule, unless specifically authorized by law.

SEC. 409. None of the funds provided 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. 410. 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. 411. 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 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. 412. Except as otherwise provided in section 406, 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. 413. 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. 414. 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.

SEC. 415. (a) It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 416. None of the funds appropriated in this Act may be used to implement any cap on reimbursements to grantees for indirect costs, except as published in Office of Management and Budget Circular A-21.

SEC. 417. Such sums as may be necessary for fiscal year 2000 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 418. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 419. 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 2000 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.

SEC. 420. Notwithstanding section 320(g) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)), funds made available pursuant to authorization under such section for fiscal year 2000 may be used for implementing comprehensive conservation and management plans.

SEC. 421. Notwithstanding any other provision of law, the term "qualified student loan" with respect to national service education awards shall mean any loan made directly to a student by the Alaska Commission on Postsecondary Education, in addition to other meanings under section 148(b)(7) of the National and Community Service Act.

SEC. 422. Notwithstanding any other law, funds made available by this or any other Act or previous Acts for the United States/Mexico Foundation for Science may be used for the endowment of such Foundation: Provided, That funds from the U.S. Government shall be matched in equal amounts with funds from Mexico: Provided further, That the accounts of such Foundation shall be subject to U.S. Government administrative and audit requirements concerning grants and requirements concerning cost principles for nonprofit organizations.

SEC. 423. None of the funds made available in this Act may be used to carry out Executive Order No. 13083.

SEC. 424. Unless otherwise provided for in this Act, no part of any appropriation for the Department of Housing and Urban Development shall be available for any activity in excess of amounts set forth in the budget estimates submitted for the appropriations.

SEC. 425. None of the funds made available in this Act may be used for purposes of lobbying or litigating against, including any related activity or cost, any Federal entity or official. Any funds received under this Act shall be maintained in an account separate from any funds used for litigating or lobbying. Notwithstanding any other provision of law, none of the funds made available in this Act (or any subsequent Act that makes available appropriations for programs funded under this Act) shall be made available for a period of five years to any entity or person that violates the requirements of the preceding two sentences.

SEC. 426. None of the funds provided in this Act may be obligated after February 15, 2000, unless each department, agency, corporation, and commission that receives funds herein provides detailed justifications to the Committees on Appropriations for all salary and expense activities for fiscal years 2001 through 2005, including personnel compensation and benefits, consulting costs, professional services or technical service contracts, regardless of the dollar amount, contracting out costs, travel and other standard object classifications for all headquarters offices, regional offices, or field installations and laboratories, including the number

of full-time equivalents per office, and the personnel compensation, benefits and travel costs for each Secretary, Assistance Secretary or Administrator.

SEC. 427. LAW ENFORCEMENT AGENCIES NOT RESPONSIBLE FOR CLEAN-UP OF METHAMPHETAMINE LABORATORIES. Notwithstanding any other provision of law, no state or local law enforcement agency shall be responsible under any Federal law for any costs associated with the clean-up or remediation of any premises used for the manufacture or production of methamphetamine.

SEC. 428. No funds in this Act shall be made available for any activity or the publication or distribution of literature that is designed to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 429. Notwithstanding any other provision of law, the amount made available under the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1991 (Public Law 101-507) for a special purpose grant under section 107 of the Housing and Community Development Act of 1974 to the County of Hawaii for the purpose of an environmental impact statement for the development of a water resource system in Kohala, Hawaii, that is unobligated on the date of enactment of this Act, may be used to fund water system improvements, including exploratory wells, well drillings, pipeline replacements, water system planning and design, and booster pump and reservoir development.

SEC. 430. None of the funds appropriated or otherwise made available for the National Aeronautics and Space Administration by this Act may be obligated or expended for purposes of transferring any research aircraft from Glenn Research Center, Ohio, to another field center of the Administration.

SEC. 431. GAO STUDY ON FEDERAL HOME LOAN BANK CAPITAL. (a) STUDY.—The Comptroller General of the United States shall conduct a study of—

(1) possible revisions to the capital structure of the Federal Home Loan Bank System, including the need for—

(A) more permanent capital;
(B) a statutory leverage ratio; and
(C) a risk-based capital structure; and

(2) what impact such revisions might have on the operations of the Federal Home Loan Bank System, including the obligation of the Federal Home Loan Bank System under section 21B(f)(2)(C) of the Federal Home Loan Bank Act.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Congress on the results of the study conducted under subsection (a).

SEC. 432. SENSE OF THE SENATE REGARDING AERONAUTICS RESEARCH. (a) FINDINGS.—The Senate finds the following:

(1) Every aircraft worldwide uses and benefits from NASA technology.

(2) Aeronautical research has fostered the establishment of a safe, affordable air transportation system that is second to none.

(3) Fundamental research in aeronautics is not being supported anywhere in the country outside of NASA.

(4) The Department of Transportation predicts that air traffic will triple over the next 20 years, exacerbating current noise and safety problems at already overcrowded airports. New aeronautics advancements need to be developed if costs are to be contained and the safety and quality of our air infrastructure is to be improved.

(5) Our military would not dominate the skies without robust investments in aeronautics research and development.

(6) Technology transferred from NASA aeronautics research to the commercial sector has created billions of dollars in economic growth.

(7) The American aeronautics industry is the top contributor to the United States balance of trade, with a net contribution of more than \$41,000,000,000 in 1998.

(8) Less than 10 years ago, American airplane producers controlled over 70 percent of the global market for commercial aviation.

(9) America's dominance in the world's civil aviation market is being challenged by foreign companies like Airbus, which now has approximately 50 percent of the world's civil aviation market, and is aiming to capture 70 percent.

(10) The rise of foreign competition in the global civil aviation market has coincided with decreases in NASA's aeronautics research budget and a corresponding increase in European investment.

(11) NASA's aeronautics laboratories have the research facilities, including wind tunnels, and technical expertise to conduct the cutting-edge scientific inquiry needed to advance state-of-the-art military and civil aircraft.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the United States should increase its commitment to aeronautics research funding.

SEC. 433. UNDERGROUND STORAGE TANKS. Not later than May 1, 2000, in administering the underground storage tank program under subtitle I of the Solid Waste Disposal Act (42 U.S.C. 6991 et seq.), the Administrator of the Environmental Protection Agency shall develop a plan (including cost estimates)—

(1) to identify underground storage tanks that are not in compliance with subtitle I of the Solid Waste Disposal Act (42 U.S.C. 6991 et seq.) (including regulations);

(2) to identify underground storage tanks in temporary closure;

(3) to determine the ownership of underground storage tanks described in paragraphs (1) and (2);

(4) to determine the plans of owners and operators of underground storage tanks described in paragraphs (1) and (2) to bring the underground storage tanks into compliance or out of temporary closure; and

(5) in a case in which the owner of an underground storage tank described in paragraph (1) or (2) cannot be identified—

(A) to bring the underground storage tank into compliance; or

(B) to permanently close the underground storage tank.

SEC. 434. The comment period on the proposed rules related to section 303(d) of the Clean Water Act published at 64 Federal Register 46012 and 46058 (August 23, 1999) shall be extended from October 22, 1999, for a period of no less than 90 additional calendar days.

SEC. 435. Section 4(a) of the Act of August 9, 1950 (16 U.S.C. 777c(a)), is amended in the second sentence by striking "1999" and inserting "2000".

SEC. 436. PROMULGATION OF STORMWATER REGULATIONS. (a) STORMWATER REGULATIONS.—The Administrator of the Environmental Protection Agency shall not promulgate the Phase II stormwater regulations until the Administrator submits to the Committee on Environment and Public Works of the Senate a report containing—

(1) an in-depth impact analysis on the effect the final regulations will have on urban, suburban, and rural local governments subject to the regulations, including an estimate of—

(A) the costs of complying with the 6 minimum control measures described in the regulations; and

(B) the costs resulting from the lowering of the construction threshold from 5 acres to 1 acre;

(2) an explanation of the rationale of the Administrator for lowering the construction site threshold from 5 acres to 1 acre, including—

(A) an explanation, in light of recent court decisions, of why a 1-acre measure is any less arbitrarily determined than a 5-acre measure; and

(B) all qualitative information used in determining an acre threshold for a construction site; (3) documentation demonstrating that stormwater runoff is generally a problem in communities with populations of 50,000 to 100,000 (including an explanation of why the coverage of the regulation is based on a census-determined population instead of a water quality threshold); and

(4) information that supports the position of the Administrator that the Phase II stormwater program should be administered as part of the National Pollutant Discharge Elimination System under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342).

(b) PHASE I REGULATIONS.—No later than 120 days after enactment of this Act, the Environmental Protection Agency shall submit to the Senate Environment and Public Works Committee a report containing a detailed explanation of the impact, if any, that the Phase I program has had in improving water quality in the United States (including a description of specific measures that have been successful and those that have been unsuccessful).

(c) FEDERAL REGISTER.—The reports described in subsections (a) and (b) shall be published in the Federal Register for public comment.

SEC. 437. PESTICIDE TOLERANCE FEES. None of the funds appropriated or otherwise made available by this Act shall be used to promulgate a final regulation to implement changes in the payment of pesticide tolerance processing fees as proposed at 64 Fed. Reg. 31040, or any similar proposals. The Environmental Protection Agency may proceed with the development of such a rule.

This Act may be cited as the "Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000".

ORDERS FOR TUESDAY, SEPTEMBER 28, 1999

Mr. ROBERTS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m. on Tuesday, September 28.

I further ask unanimous consent that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business until 12:30, with Senators speaking for up to 5 minutes each with the following exceptions: Senator DURBIN, or his designee, 10 to 10:30; Senator SNOWE, or her designee, 10:30 to 11.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I ask unanimous consent the Senate stand in recess from 12:30 to 2:15 for the weekly policy conferences to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERTS. Mr. President, for the information of all Senators, the Senate will convene at 10 a.m. tomorrow and be in a period of morning business until 12:30. It is expected that tomorrow morning the Senate will be able to reach an agreement for the consideration of the Energy and Water Appropria-

iations conference report. It is hoped the Senate would begin that conference report at approximately 11 o'clock on Tuesday for 45 minutes of debate. If that agreement is reached, Senators could anticipate the first rollcall vote to occur at approximately 11:45 in the morning.

Following the party conference meetings, the Senate may begin consideration of the digital millennium legislation or any conference reports or appropriations bills available for action while waiting for the continuing resolution from the House of Representatives. Therefore, Senators can anticipate votes throughout tomorrow's session of the Senate.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. ROBERTS. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:48 p.m., adjourned until Tuesday, September 28, 1999, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate September 27, 1999:

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

GERALD V. POJE, OF VIRGINIA, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. CHARLES F. WALD, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. RONALD C. MARCOTTE, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. THOMAS J. KECK, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. HAL M. HORNBURG, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. WALTER S. HOGLE, JR., 0000.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GARY S. MCKISSOCK, 0000.